MOST FAVORED NATION STATUS FOR ROMANIA, HUNGARY AND CHINA

HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL TRADE

OF THE

COMMITTEE ON FINANCE

UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

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CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

MONDAY, JULY 27, 1981

U.S. SENATE,
SUBCOMMITTEE ON INTERNATIONAL TRADE
OF THE COMMITTEE ON FINANCE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 2221, Dirksen Senate Office Building, Hon. John C. Danforth (chairman) presiding.

Present: Senators Danforth and Dole.

[The press release announcing this hearing follows:]

[Press Release No. 81-149, Senate Committee on Finance, July 2, 1981]

FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE TO HOLD HEARING ON CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

The Honorable John Danforth (R., Mo.), Chairman of the Subcommittee on International Trade of the Committee on Finance, today announced that the Subcommittee will hold a public hearing on continuing the President's authority to waive the application of subsections (a) and (b) of section 402, the freedom of emigration provision, of the Trade Act of 1974 (Public Law 93-618). The hearing will be held at 9:30 a.m., Monday, July 27, 1981, in Room 2221 of the Dirksen Senate Office Building.

Chairman Danforth noted that on June 2, 1981, the President transmitted to the Congress his recommendation, under section 402(d)(5) of the Trade Act, that the waiver authority be extended 12 months to July 3, 1982. This recommendation was based on his determination under section 402(d)(5) of the Trade Act that the extension of the waiver authority will substantially promote the objectives of freedom of emigration in general and, in particular, in the cases of the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China.

The Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China are the only nonmarket economy countries which have been granted nondiscriminatory (most-favored-nation (MFN)) trade treatment under the authority of the Trade Act of 1974, Chairman Danforth said.

The Chairman said that the President's recommendation on June 2, 1981, set in motion a schedule of procedures by which the Congress may either terminate, by adoption of a simple resolution in either House, or permit by inaction the extension of the authority by which the President may waive the freedom of emigration condition on MFN treatment. The waiver authority may be terminated generally or with respect to particular countries. Congressional action to terminate the waiver authority, if any, must occur on or before September 1, 1981, he said. After that date, if Congress has taken no action, the waiver authority is automatically extended until July 3, 1982.

Requests to testify.—Chairman Danforth advised that witnesses desiring to testify during this hearing must make their request to testify in writing to Robert Lighthizer, Chief Counsel, Committee on Finance, Room 2227 Dirksen Senate Office Building, Washington, D.C. 20510, not later than Friday, July 17, 1981. Witnesses will be notified as soon as possible after this date as to whether they will be scheduled to appear. If for some reason a witness is unable to appear at the time scheduled, he may file a written statement for the record of the hearing in lieu of a personal appearance.

Consolidated testimony.—Chairman Danforth also stated that the Subcommittee urges all witnesses who have a common position on the same general interest to consolidate their testimony and designate a single spokesman to present the common viewpoint orally to the Subcommittee. This procedure will enable the Subcommittee to receive a wider expression of views than it might otherwise obtain. Chairman Danforth urged very strongly that all witnesses exert a maximum effort to consolidate and coordinate their statements.

Legislative Reorganization Act.—Chairman Danforth also observed that the Legislative Reorganization Act of 1946, as amended, and the rules of the Committee require witnesses appearing before the Committees of Congress to file in advance written statements of their proposed testimony and to limit oral presentations to brief summaries of their arguments.

He stated that in light of this statute and the rules, and in view of the large number of witnesses who are likely to desire to appear before the Subcommittee in the limited time available for the hearing, all witnesses who are scheduled to testify must comply with the following rules:

1. All witnesses must include with their written statements a one-page summary of the principal points included in the statement.
2. The written statements must be typed on lettersize (not legal size) paper and at least *100 copies* must be delivered to Room 2227 of the Dirksen Senate Office Building not later than the close of business on Friday, July 17, 1980.
3. Witnesses are not to read their written statements to the Subcommittee, but are to confine their oral presentations to a summary of the points included in the statement.
4. No more than 5 minutes will be allowed for the oral summary.

Witnesses who fail to comply with these rules will forfeit their privilege to testify.

Written statements.—Witnesses who are not scheduled to make an oral presentation, and others who desire to present their views to the Subcommittee, are urged to prepare a written statement for submission and inclusion in the printed record of the hearing. These written statements should be submitted to Robert Lighthizer, Chief Counsel, Committee on Finance, Room 2227 of the Dirksen Senate Office Building not later than Monday, August 10, 1981.

Senator DANFORTH. The Subcommittee on International Trade will receive testimony on continuing the President's general authority to waive application of the freedom of emigration provisions of section 402 of the Trade Act of 1974, as well as continuation of the exercise of that authority with respect to Romania, Hungary, and the People's Republic of China.

These three countries are the only countries to receive most favored nation treatment under the Trade Act and continuation of the waivers with respect to them is necessary if they are to continue to receive such treatment.

For the record, I should like to submit a letter I recently sent to Ambassador Ionescu on the subject of Romanian emigration policies.

Since assuming the chairmanship of this subcommittee, I have become increasingly aware of the significant problems faced by individuals wishing to leave Romania.

Since February, I have met on separate occasions with Ambassador Ionescu and former Ambassador Bogdan. I have written a dozen letters to Romanian authorities expressing my concern with Romanian emigration policies and have forwarded the names of nearly 700 individuals apparently desirous of leaving that country.

To date, I understand that less than one half of the individuals on my initial list have been granted permission to leave, and new names are being added to the list of applicants on a daily basis.

One recent estimate of the backlog of applicants stated that 350 individuals who applied prior to 1981 are still awaiting approval to leave Romania.

Of these, 112 have been waiting for more than 1 year.

In addition, there were approximately 177 new applicants between January 1 and June 2 of this year whose applications had not been acted upon as of June 2.

This would leave the total backlog of applicants as of the beginning of June at 527.

Now, we have this morning some 16 witnesses. There is only one way we can get through this list of witnesses in an expeditious fashion and that is to hold you strictly to the 5-minute rule.

I would hope that all witnesses would be able to complete their statements within 5 minutes.

The first witnesses are John D. Scanlan, William Escoube, James Murphy, and William Morris.

Mr. SCANLAN.

STATEMENTS OF JOHN D. SCANLAN, DEPUTY ASSISTANT SECRETARY OF STATE FOR EUROPEAN AFFAIRS; WILLIAM ESCOUBE, DIRECTOR, OFFICE OF EAST-WEST ECONOMIC POLICY, DEPARTMENT OF TREASURY; JAMES MURPHY, DEPUTY ASSISTANT U.S. TRADE REPRESENTATIVE; AND WILLIAM MORRIS, ASSISTANT SECRETARY OF COMMERCE FOR TRADE DEVELOPMENT

Mr. SCANLAN. Mr. Chairman, I have a prepared statement which I will read very fast. I hope it won't run over 5 minutes.

I am pleased to have the opportunity to join a panel of administration witnesses testifying on the President's recommendation to further extend his waiver authority under section 402 of the Trade Act of 1974, and to continue specific waivers, permitting most favored nation treatment for Romania, Hungary, and China.

My testimony will deal with the waivers for Romania and Hungary.

I would like to begin, Mr. Chairman, by placing the President's recommendation to continue MFN treatment for Romania and Hungary in the context of our overall view of Eastern Europe and our policy toward that region.

In looking at Eastern Europe today, we see signs of increasing economic, social, and even political diversities.

Differences of history, geography, and culture seemingly submerged when a common ideology was imposed at the end of World War II, have strongly reasserted themselves.

It is inaccurate and misleading to consider Eastern Europe as a monolithic block.

We also see the countries of Eastern Europe faced with the most difficult economic period since reconstruction following World War II.

In the period ahead, manpower and energy constraints will slow industrial growth, agricultural production will continue to lag behind consumer demand, and large hard currency debts will drain capital resources.

These economic problems will be an important force for change in economic reform in the region.

The U.S. policy toward Eastern Europe seeks to take account of the diversity and the forces of change at work in that region.

While recognizing the political and geographical realities of the area, we seek to conduct our relations with each country in Eastern Europe on thier own merits and not as a function of U.S. relations with any third country.

We have sought and will continue to seek improved relations with the countries of Eastern Europe to the extent to which individual Eastern European governments demonstrate both the desire and the ability to reciprocate our interest in improved relations.

At the same time, we also expect that the governments of those countries which desire the benefits of improved relations with the United States, particularly in the economic area, will plan a constructive role in Europe and elsewhere.

We are also mindful of the basic disagreements which we have with the governments of Eastern Europe on a wide range of questions dealing with political, economic, and social freedoms.

In considering further improvements in our relations with the countries of Eastern Europe we will give careful attention to indications that the governments of Eastern Europe are sensitive to the aspirations of their peoples and seek to fulfill their commitments under the provisions of the Helsinki Final Act.

Let me now turn to Romania and Hungary.

Although a member of the Warsaw Pact, Romania pursues an independent foreign policy. We do not always share Romania's views, but we regard Romania as a serious actor on the international scene.

Romania has played an active and important role in the Madrid meeting of the Commission on Security and Cooperation in Europe, and in its relations with both the Arab countries and Israel, in the Middle East.

On developments in Poland, Romania has taken the constructive position that the Polish people and leadership should determine themselves the course their nation will follow.

This administration has already begun a high level dialog with Romania.

In May, President Reagan and Secretary Haig met with Foreign Minister Andre, in Washington, and Secretary Baldrige traveled to Bucharest for the United States and Romanian Joint Economic Commission meeting and met with President Ceausescu.

Secretary Haig underlined to Minister Andre, our recognition of Romania's special position in Eastern Europe and support for the principle of self-determination.

He also emphasized that Romania's responsiveness to United States concerns on immigration and humanitarian issues would contribute to the further development of our relations.

Of direct relevance to today's hearing is Romania's performance on immigration and whether the continuation of a waiver permitting MFN tariff treatment for Romania will substantially promote freer immigration.

The statistics on immigration clearly support continuation of the waiver. Immigration from Romania has increased substantially since the waiver has been in effect.

In 1980, more than 2,800 persons immigrated from Romania to the United States. This is seven times the pre-MFN level of immigration and almost twice the 1979 level.

Statistics for the first half year of 1981 show a continued high level of immigration.

It is also significant that over time, almost all of the immigration cases on the list which we present quarterly to the Romanian Government are eventually approved, if not as quickly as we would like.

In spite of this progress, immigration procedures remain complicated and lengthy, although we have no evidence of a tightening of procedures.

These cumbersome procedures are not unique to immigration. Other aspects of daily life to Romania's highly centralized Communist system are equally burdened with bureaucratic redtape.

We have urged the Romanians, in their own interest, to streamline immigration procedures, but we are dealing with the problem of an entire system, not just one part of it.

We view the immigration issue to be a continuing one with which we engage in discussions with Romanian authorities on a week in and week out basis throughout the year as each case or group of cases arise.

We believe the Romanians look on the matter in a similar light.

We are also aware of the particular interest of many Members of Congress and the question of immigration to Israel.

I believe that it is important to keep this question in perspective. The Jewish community, in Romania today, is small and numbers less than 50,000. It is the remnant of a post-World War II Jewish population of 450,000, most of whom have already immigrated to Israel.

Many of the remaining Romanian Jews are elderly. Others may have jobs or family ties. Some may not wish to immigrate.

We have continued to make clear to the Romanian authorities that we are interested in immigration to Israel. In keeping with the request of this committee, we have carefully followed the implementation of the Joint Understanding on Immigration to Israel, reached 2 years ago, between the Romanian Government and major American Jewish organizations.

While this understanding has not resulted in a marked increase in immigration to Israel, it has provided a system for monitoring immigration to Israel and a basis for a continuing dialog between the Romanian Government and the major American Jewish organizations.

We believe that the joint understanding is a positive example of the Romanian Government's willingness to engage not only the U.S. Government, but also private American organizations in a dialog on human rights issues.

As the President's recommendation to Congress states, we believe that continued MFN treatment will create the framework of mutual interest which will permit further progress, not only in the area of immigration, but also a broad range of other humanitarian problems.

Before completing my comments on Romania, I would also like to note that this year, the President has decided to renew the United States and Romania agreement on trade relations for a third, 3-year term.

My colleague from the Department of Commerce can provide greater detail on the United States and Romania trade relationship, but I would like to point out that during the life of this agreement, the United States has become Romania's third most important trading partner with two-way trade, totaling more than $1 billion.

The trade agreement is also an important symbol of the desire of both countries to place their political and economic relations on a more stable and longer term basis.

Turning to Hungary, I am pleased to note that in our bilateral relations, we are continuing to build upon the momentum generated by the return of the Crown of St. Steven and the signing of the agreement on trade relations in 1978.

Our relations with Hungary are characterized by an ability to discuss issues in an open and constructive fashion.

Working within the framework of the Helsinki Final Act, the United States and Hungary have sought to expand the bilateral relationship in economic, cultural, and humanitarian areas.

There continues to be a steady flow of important private and official visitors to and from Hungary. Particularly noteworthy in this regard has been a series of visits by distinguished religious leaders and a recent congressional delegation, headed by Chairman Price of the House Armed Services Committee.

Hungary's performance on immigration continues to be positive. It is important to keep in mind that the demand to immigrate from Hungary, with its relatively high living standards and relative relaxed internal conditions, is not great.

Although Hungary's immigration laws ostensibly is restrictive, it is applied with considerable flexibility and approximately 90 percent of applications for purposes of reunification with close relatives are approved without undue difficulty.

The number of problem cases is small, and with reapplications and some persistence, these cases are usually resolved.

We periodically present the Hungarian Government lists of problem cases and urge the resolution on humanitarian grounds.

As with Romania, MFN treatment, MFN tariff treatment is a fundamental component of our overall relations with Hungary.

Since the reciprocal extension of MFN treatment and the conclusion of the agreement on trade relations in 1978, United States-Hungarian trade has expanded and diversified.

Again, my Department of Commerce colleagues can provide more details on these commercial developments.

Because of the central role of trade and MFN in our overall relations with Hungary, the administration strongly supports the extension of the agreement on trade relations and the continuation of Hungary's MFN status.

Senator **Danforth**. Thank you, sir.

Do the rest of you gentlemen have statements to make or submit for the record?

Mr. **Murphy**. We will submit our statements for the record, Mr. Chairman.

Mr. **Morris**. Yes.

Mr. **Escoube**. Yes, sir.

Senator **Danforth**. Thank you very much.

Let me ask you this about the Romanian situation. It is true, is it not, that fairly lengthy lists of names have been submitted to authorities in Romania of people who presumably do want to leave that country, and that they in fact have not left that country; they are still in Romania.

It may be that there are fewer people wanting to leave than there were 5 or more years ago. But, there still are known individuals of substantial numbers who want to leave Romania and they have not been permitted to leave Romania; isn't that so?

Mr. **SCANLAN**. That is true. The lists, of course, are always turning over. The process is, we believe, too lengthy a process, and we continue to make that representation to the Romanian Government.

Senator **DANFORTH**. The point is that it is simply not correct to say, well, there aren't any people around who want to leave any more.

Mr. **SCANLAN**. No; it isn't so. We haven't said that. What we are saying is there is a continuing desire on the part of many people to leave Romania. These lists continue. They continue to work on the lists. The process takes longer than we would like.

Senator **DANFORTH**. Some people have been on the list for a year or more, haven't they?

Mr. **SCANLAN**. It is not unusual, 12 to 15 months.

Senator **DANFORTH**. Some even 2 years.

Mr. **SCANLAN**. There are such cases; yes.

Senator **DANFORTH**. Isn't this something more than just the slow workings of bureaucracy?

Mr. **SCANLAN**. I suspect there are cases that are much more difficult to resolve than some. We believe that we have been leading, helping to lead Romania into a posture of more open immigration, but we are not fully satisfied. We wouldn't be fully satisfied. We won't be fully satisfied with Romania or any country until immigration is totally free.

I mean, that is our goal. But, we believe that Romania has been making progress toward that goal, although not as rapidly as we would like.

Senator **DANFORTH**. Isn't it true that the immigration of Romanian Jews to Israel is slowing down rather than speeding up?

Mr. **SCANLAN**. Well, you have to qualify that statement. In proportion to the number of Jews in Romania, we believe that the rate of immigration to Israel is about the same this year as it was last year.

Senator **DANFORTH**. Well, compared to say 5 years ago, it is my understanding the rate it is about 20 percent of what it was then.

Mr. **SCANLAN**. There again, in proportion to the numbers that we are aware of that want to leave, we think the flow is about the same.

Senator **DANFORTH**. It is my understanding that Romanian immigration to Western Germany and the United States is stable or perhaps up, but with respect to Israel it is substantially down.

Mr. **SCANLAN**. That is true. Of course, the pool of potential immigrants to the United States is a relatively constant possibly increasing pool.

The pool of potential immigrants to Israel is a diminishing pool and that has an effect on that.

Senator DANFORTH. Do you believe that Romanian emigration policy was more relaxed, looser, before MFN was granted than after it was granted?

Mr. SCANLAN. No; we have no evidence to that effect. Our evidence is to the contrary, that immigration has improved since the granting of MFN.

It is how these policies are applied in practice more than the policies themselves I suspect.

Policies are rooted, as I have stated, in bureaucratic practices.

Senator DANFORTH. That is right. I think that the only test, and this has been said before at these hearings, the only test is performance, not some statement of intentions.

Mr. SCANLAN. Yes.

Senator DANFORTH. I will amend my question. As far as performance is concerned, isn't it so that the performance was better before MFN was granted than after?

Mr. SCANLAN. No; with regard to immigration to the United States, performance is markedly better than before MFN was granted.

With regard to immigration to Israel, the total numbers may be down slightly, but again, you have to look at the proportion of immigration with respect to the pool of potential immigrants. There is a difference of opinion there.

We are not fully satisfied with this. We are not sure that lack of MFN or failure to extend MFN would improve the situation. We think that is really the point at issue here.

Senator DANFORTH. I am still not sure that I undertand the administration's view of what is happening.

Is it the administration's position that Romania is making a good faith effort to process emigration requests and to allow people who want to leave the country to leave the country or instead, is Romania thwarting the efforts of people who want to leave the country to leave the country?

Mr. SCANLAN. It is our view that in a majority of cases, the Romanian Government is making a good faith effort within the workings of its very rigid, slow moving, bureaucratic system.

I think I have pointed out clearly that immigration to the United States has made a very substantial improvement. While there are these cases, as you pointed out, there are a lot of cases that are moving a lot more slowly than we would like.

But we are able to make representations to them and we are able, in most cases, to move those cases forward, although it takes a lot longer than we would like.

Senator DANFORTH. Could we be doing a better job, do you think?

Mr. SCANLAN. I don't know. I am not sure I understand how we could. We do make very frequent representations to them.

I visited Romania in mid-February. I was then posted in Belgrade. I knew I was coming back to this job, so I visited all the posts I would be responsible for. In my 8 hours or 10 hours in Romania, I spent about at least an hour on the subject of immigration, both the general topic and specific cases that we were making representations on.

I think that is typical. Every time we have high level contacts with the Romanians, we make a point. Our embassy there is constantly working on this. I think they understand how we feel about that.

Senator **Danforth**. Gentlemen, thank you very much.

(The prepared statements of the preceding panel follow:]

STATEMENT OF THE HONORABLE JOHN D. SCANLAN, DEPUTY ASSISTANT SECRETARY FOR EUROPEAN AFFAIRS, DEPARTMENT OF STATE

Mr. Chairman, I am pleased to have this opportunity to join a panel of Administration witnesses testifying on the President's recommendation to further extend his waiver authority under Section 402 of the Trade Act of 1974 and to continue specific waivers permitting Most Favored Nation (MFN) treatment for Romania, Hungary and China. My testimony will deal with the waivers for Romania and Hungary, while my State Department colleague Mr. Armacost will address the waiver for China.

I would like to begin, Mr. Chairman, by placing the President's recommendation to continue MFN treatment for Romania and Hungary in the context of our overall view of Eastern Europe and our policy toward that region. In looking at Eastern Europe today, we see signs of increasing economic, social, and even political diversity. Differences of history, geography, and culture, seemingly submerged when a common ideology was imposed at the end of World War II, have strongly reasserted themselves. In 1981, it is no longer possible to consider Eastern Europe as a monolithic bloc.

We also see the countries of Eastern Europe faced with the most difficult economic period since reconstruction following World War II. In the period ahead, manpower and energy constraints will slow industrial growth, agricultural production will continue to lag behind consumer demand, and large hard currency debts will drain capital resources. These economic problems will be an important force for change and economic reform in the region.

United States policy towards Eastern Europe seeks to take account of the diversity and the forces of change at work in the region. While recognizing the political and geographic realities of the area, we seek to conduct our relations with each country in Eastern Europe on their own merits, and not as a function of U.S. relations with any third country. We have sought and will continue to seek improved relations with the countries of Eastern Europe to the extent to which individual Eastern European governments demonstrate both the desire and the ability to reciprocate our interest in improved relations. At the same time, we also expect that the governments of those countries which desire the benefits of improved relations with the United States, particularly in the economic area, will play a constructive role in Europe and elsewhere.

We are also mindful of the basic disagreements which we have with the governments of Eastern Europe on a wide range of questions dealing with political, economic, and social freedoms. In considering further improvements in our relations with the countries of Eastern Europe, we will give careful attention to indications that the governments of Eastern Europe are sensitive to the aspirations of their peoples and seek to fulfill their commitments under the povisions of the Helsinki Final Act. Let me now turn to Romania and Hungary.

Over the past year, Romania has continued to maintain its distinctive independent posture within the Warsaw Pact. We do not always share Romania's views, but we regard Romania as a serious actor on the international scene. Romania has played an active and important role at the Madrid meeting of the Commission on Security and Cooperation in Europe (CSCE) and in its relations with both the Arab countries and Israel in the Middle East. On developments in Poland, Romania has taken the constructive position that the Polish people and leadership should determine themselves the course their nation will follow. This Administration has already begun a high-level dialogue with Romania. In May, President Reagan and Secretary Haig met with Foreign Minister Andrei in Washington, and Secretary Baldrige traveled to Bucharest for the U.S-Romanian Joint Economic Commission meeting and met with President Ceausescu. Secretary Haig underlined to Minister Anelrei our recognition of Romania's special position in Eastern Europe and support for the principle of self-determination. He also emphasized that Romania's responsiveness to U.S. concerns on emigration and humanitarian issues would contribute to the further development of our relations.

Of direct relevance to today's hearing is Romania's performance on emigration and whether the continuation of a waiver permitting MFN tariff treatment for

Romania will substantially promote freer emigration. The statistics on emigration clearly support continuation of the waiver. Emigration from Romania has increased substantially since the waiver has been in effect. In 1980, more than 2,800 persons emigrated from Romania to the United States. This is seven times the pre-MFN level of emigration and almost twice the 1979 level. Statistics for the first half year of 1981 show a continued high level of emigration. It is also significant that, over time, almost all of the emigration cases on the list which we present quarterly to the Romanian Government are approved.

In spite of this progress, emigration procedures remain complicated and lengthy, although we have no evidence of a tightening of procedures. These cumbersome procedures are not unique to emigration. Other aspects of daily life in Romania's highly centralized communist system are equally burdened with bureaucratic red tape. We have urged the Romanians—in their own interest—to streamline emigration procedures, but we are dealing with a problem of an entire system, not just one part of it. We view the emigration issue to be a continuing one with which we engage in discussions with Romanian authorities on a week in week out basis throughout the year as each case or group of cases arise. We believe the Romanians look on the matter in a similar light.

We are also aware of the particular interest of many members of Congress in the question of emigration to Israel. I believe that it is important to keep this question in perspective. The Jewish community in Romania today is small and numbers less than 50,000. It is the remnant of a post-World War II Jewish population of 450,000, most of whom have already emigrated to Israel. Many of the remaining Romanian Jews are elderly; others may have jobs or family ties; some may not wish to emigrate.

We have continued to make clear to the Romanian authorities that we are interested in emigration to Israel. In keeping with the request of this committee, we have carefully followed the implementation of the "joint understanding" on emigration to Israel reached two years ago between the Romanian Government and major American Jewish organizations. While this understanding has not resulted in a marked increase in emigration to Israel, it has provided a system for monitoring emigration to Israel and a basis for a continuing dialogue between the Romanian Government and the major American Jewish organizations. We believe that the joint understanding is a positive example of the Romanian Government's willingness to engage not only the U.S. Government but also private American organizations in a dialogue on human rights issues. As the President's recommendation to Congress states, we believe that continued MFN treatment will create the framework of mutual interest which will permit further progress not only in the area of emigration but also a broad range of other humanitarian problems.

Before completing my comments on Romania, I would also like to note that this year the President has decided to renew the U.S.-Romanian Agreement on Trade Relations for a third three year term. My colleague from the Department of Commerce will provide greater detail on the U.S. Romanian trade relationship, but I would like to point out that during the life of this agreement the United States has become Romania's third most important trading partner with two-way trade totalling more than one billion dollars. The Trade Agreement is also an important symbol of the desire of both countries to place their political and economic relations on a more stable and longer term basis.

Turning to Hungary, I am pleased to note that, in our bilateral relations, we are continuing to build upon the momentum generated by the return of the Crown of St. Stephen and the signing of the Agreement on Trade Relations in 1978. Our relations with Hungary are characterized by an ability to discuss issues in an open and constructive fashion. Working within the framework of the Helsinki Final Act, the United States and Hungary have sought to expand the bilateral relationship in the economic, cultural, and humanitarian areas. There continues to be a steady flow of important private and official visitors to and from Hungary. Particularly noteworthy in this regard has been a series of visits by distinguished religious leaders and a recent Congressional delegation headed by Chairman Price of the House Armed Services Committee.

Hungary's performance on emigration continues to be positive. It is important to keep in mind that the demand to emigrate from Hungary—with its relatively high living standards and relatively relaxed internal conditions—is not great. Although Hungary's emigration law is ostensibly restrictive, it is applied with considerable flexiblity, and approximately ninety percent of applications for purposes of reunification with close relatives are approved without undue difficulty. The number of problem cases is small, and with reapplications and some persistence, these cases are usually resolved.

We periodically present the Hungarian Government with lists of problem cases and urge their resolution on humanitarian grounds.

As with Romania, MFN tariff treatment is a fundamental component of our overall relations with Hungary. Since the reciprocal extension of MFN treatment and the conclusion of the Agreement on Trade Relations in 1978, U.S.-Hungarian trade has expanded and diversified. Again, my Department of Commerce colleague will provide more details on these commercial developments. Because of the central role of trade and MFN in our overall relations with Hungary, the Administration strongly supports the extension of the Agreement on Trade Releations and the continuation of Hungary's MFN status.

ANNUAL ROMANIAN EMIGRATION—1971-81

Year	United States	Israel	Federal Republic of Germany
1971	362	[1] 1,900	....
1972	348	[1] 3,000	....
1973	469	[1] 4,000	....
1974	407	[1] 3,700	....
1975	890	[1] 2,000	4,085
1976	1,021	1,989	2,720
1977	1,240	1,334	9,237
1978	1,666	1,140	9,827
1979	1,552	976	7,957
1980	2,886	1,061	12,946
1981 (January-June)	1,269	308	3,436
Total (1971-80)	10,841	21,100	46,775
Average (1971-80)	1,084	2,100	[2] 7796

[1] Approximate.

[2] Average 1975-80.

Annual Hungarian emigration, 1976-81

Year:	*Visas* [1]
1976	127
1977	98
1978	125
1979	95
1980	146

[1] Immigrant visas issued by U.S. Embassy, Bucharest.

STATEMENT OF MICHAEL H. ARMACOST DEPUTY ASSISTANT SECRETARY FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. Chairman, I welcome this opportunity to testify before this subcommittee as part of an Administration panel supporting the President's recommendations to extend his general waiver authority under Section 402 (c) of the Trade Act and to continue specific waivers permitting most favored nation (MFN) treatment for China, Romania, and Hungary. My testimony will address the waiver for China, while my colleague Mr. Scanlan will testify on the waivers for Romania and Hungary.

Since the normalization of diplomatic relations in January 1979, our trade with the People's Republic of China has flourished. The US-China Trade Agreement which took effect a little more than one year after normalization has contributed sugnificantly to this progress. The agreement is the basis for friendly trade relations, not only establishing reciprocal non-discriminatory tariff status, but also fostering the principle of customary international trade practices between countries of two different conomic philosophies. The agreement has fostered improvements in areas such as the establishment of business offices, conciliation and arbitration of trade disputes, protection of patents, trademarks, and copyrights, and settlement of market disruption problems. The ties of trade constitute a large and important component of our relationship the framework and the Trade Agreement has supplied the framework for those ties.

Recent trade figures illustrate the growing importance of China as an export market for the United States. Our trade with China more than doubled during the first year of the the Trade Agreement, and first quarter trade figures for 1981 are even better with US exports to China up 53 percent over the same period last year. These figures also reveal that China is now our third largest export market in East Asia, behind Japan and South Korea, and our thirteenth largest market worldwide. The Chinese now buy two-thirds of all our polyuretanane exports, one out of every seven bales of cotton produced in the US, and more of most caterories of synthetic fiber exports than any other country. Almost 12 million acres of US farmland are now planted for the China market. The US market share in China has increased dramatically, from 11.8 percent of Chinese imports in 1979 to 20.3 percent of an even large market in 1980. In return we buy from the Chinese a wide range of light manufactured goods and an increasing variety of strategic metals and other resources.

However, as China's trade base expands and its economic readjustment policies take hold, the level of its international trade may grow more slowly over the next several years. For the United States, these changes, along with the leveling off of that initial spurt of trade growth which followed normalization, may result in a slower growth rate for US-China trade. Yet, while the rate of expansion may be decreasing, the absolute volume of trade—measured in billions of dollars—is increasing. Bilateral trade should remain in our favor despite anticipated faster growth in Chinese exports to the U.S.

A stable and expanding trade and investment relationship between the US and China contributes to strong cooperative ties across the board. Such ties are a key component in China's plans to modernize its economy with the help of Western goods and ideas. And, in the long run, a secure, stable and economically healthy China is an essential element for peace and stability in Asia.

China's determination to carry out its modernization plan with Western support has been accompanied by liberalization in the areas of emigration and human rights. In recent years, the Chinese government has significantly relaxed restrictions on travel and emigration to foreign countries by Chinese citizens. There are now approximately 6,000 Chinese students, scholars, and researchers in the United States. In addition, our posts in China last year issued about 6500 business visas to Chinese citizens. There business visitors no doubt contributed significantly to the growth of trade between the two nations.

Beijing has also moved to facilitate emigration by Chinese citizens to the U.S. In recent years the Chinese have simplified exit permit procedures. The two U.S. diplomatic and consular posts in China which issue immigrant visas now have some 10,000 approved petitions on file. This represents emigration approval for about 25,000 Chinese citizens.

In addition, figures from Hong Kong indicate that arrivals with legal exit permission from China are now running at 55,000 per year. This number has been declining in recent years, largely due to pressure from the Hong Kong authorities on the Chinese government to reduce the flow of new immigrants to the overcrowded colony.

China's commitment to more liberal emigration was underlined by its signing in September, 1980, of a bilateral consular convention with the United States. In an exchange of notes accompanying the convention, we agreed to facilitate travel between our respective countries of people considered to have claims to dual nationality and to facilitate family reunification.

This is not to assert that there are no barriers to emigration by Chinese citizens. China, like any less developed country, is concerned about a potential brain drain. Local officials have on occasion apparently been reluctant to issue passports to some persons whose emigration might create gaps in modernization efforts. This appears to be at local initiative. There is, however, no evidence that China has inhibited the emigration of those with legitimate family ties abroad, although many encounter delays in obtaining their passports and exit permits. We are optimistic that the situation will improve as Chinese officials gain experience with emigration procedures and as their backlog of applications is reduced.

For the foreseeable future, the major obstacle to increased immigration from China to the U.S. will be our own immigration law, which places an annual limitation on the number of preference-category immigrants from each country. As previously noted, our posts in China already have 25,000 applicants awaiting immigrant visas from the U.S. Hong Kong and other posts throughout the world have thousands more potential immigrants registered against the China quota. In May, 1981, applications for fifth preference admission (siblings of U.S. citizens) from China stretched back to November 15, 1976. In addition, almost 44 percent of nonimmigrant visa applications in China are refused, most often because the applicant is unable to overcome the presumption of being an intending immigrant as required by section 214(b) of the Immigration and Nationality Act.

Trade is a fundamental component of China's modernization strategy and its opening to the West. Mutual benefit and Most Favored Nation treatment in all aspects of our trading relations are vital to continued expansion of all our bilateral ties. The Administration strongly supports the continuation of MFN status for China as critical to our foreign policy interests.

Statement of Robert A. Cornell, Deputy Assistant Secretary for Trade and Investment Policy, Department of the Treasury

I welcome this opportunity to testify on behalf of the Treasury Department in support of an extension of the President's authority to waive the requirements of section 402 of the Trade Act for another year. A renewal of the waiver authority will permit the bilateral trade agreements the United States has with Romania, Hungary and China to remain in force and thus allow for the continued extension to these countries of most favored nation (MFN) tariff treatment and official export credits.

The Administration believes that U.S. economic and foreign policy objectives will be advanced by an extension of the President's waiver authority. Access to U.S. markets—on the same terms as those granted to other nations—will assist these countries in earning the foreign exchange necessary to purchase U.S. goods, thereby stimulating U.S. exports as well as providing U.S. consumers and industries with a wider range of choice in the U.S. market. This is consistent with our overall national interest and supports the Administration's basic committment to open markets. It also recognizes that trade is of necessity a two-way street and that we cannot expect to export to nations while restricting their exports to the U.S. The future potential for U.S. exports to these markets is substantial. The extension of MFN status will assist the development of two-way trade, to our mutual benefit, while denial of the waiver—without good reason—would set back the substantial progress we have already made. During the past year, our economic and political relations with Romania, Hungary and China continued to improve. My remarks today will focus on developments in our economic relations; my State Department colleagues will discuss emigration practices in these countries as well as matters of political interest.

ROMANIA

Since the entry into force of the United States-Romania Trade Agreement in 1975, the U.S. has supported Romania's evolving economic independence by encouraging bilateral trade, maintaining high level government to government exchanges, and expanding a broad range of commercial activities. In general, our economic relations with Romania have been satisfactory and of benefit to the United States. A continuation of the bilateral trade agreement will continue to encourage Romania's independence.

Romania has been a good customer for U.S. exports—both agricultural and manufactured goods—and also a reliable supplier of petroleum related products. United States-Romanian trade has grown more than three-fold since the Trade Agreement entered into force. In 1975, bilateral trade turnover totaled only $332 million. Last year it grew to a record $1 billion, with a surplus of $300 million in favor of the United States. This surplus was largely attributable to U.S. agricultural sales.

The availability of officially supported export financing from the Export-Import Bank and the Commodity Credit Corporation has been an important feature in United States-Romanian trade. Both programs have been instrumental in making U.S. exporters more competitive, increasing the U.S. share of the Romanian market and helping the United States balance of payments position. During the past year, however, the use of CCC guarantees has waned, due to high interest rates prevailing in the United States. In fiscal year 1981, the Commodity Credit Corporation authorized $50 million in credit guarantees for the purchase of soybeans. The Romanians did not take up these credits, which carry market rates of interest.

Credits extended by the Export-Import Bank provided more attractive interest rates and were used by the Romanians to support purchases from U.S. suppliers. Over the last nine years, the Eximbank has authorized $255 million in financing for Romania to support an estimated $391 million in U.S. exports. Currently, the Romanians have access to two lines of credit totalling $80 million. The first is a general credit line valued at $50 million to support small and medium size projects. The second is a $30 million line to support individual purchases from U.S. suppliers. The renewal of the waiver will allow Romania continued access to these credits.

Romania's import needs are likely to continue to exceed its export earnings for some time. U.S. government credits, as well as IMF loans and credits from the private market, will have to finance a large portion of Romania's trade with the West. At the end of 1980, Romania's outstanding hard currency debt was $10 billion. About half of the debt is owed to private Western banks. Roughly 3 percent is owed to U.S. banks. While the Romanians have been able to service all of their debt obligations, efforts are now underway to slow and eventually reduce the growth of the debt to somewhat more manageable levels. Their current effort seeks improved management of the domestic economy and a reduction in the trade deficit.

In order to continue to finance its trade deficit with the United States, Romania must increase its hard currency exports. Although MFN status itself offers Romania the greatest potential for exports to the U.S., its status as a beneficiary of GSP also increases its ability to earn hard currency. In 1980, Romania sent $85.3 million in exports to the U.S. under the GSP program. Its eligibility would cease if MFN were not renewed.

The continuation of trade with Romania on a nondiscriminatory basis, will promote the continued development of mutually beneficial economic ties.

HUNGARY

Hungary has a clear interest in becoming an active participant in the international economic system. Already, over 40 percent of its national income is tied to foreign trade and almost half of that trade is with the West. Hungary is a member of GATT, has become a signatory to many of the MTN codes and has excellent access to the private capital market. In addition, the gradual move to convertibility of Hungary's currency, planned to occur over the next few years, will link the country more closely to the world economy. If its plans succeed, Hungary will be the first Communist country to achieve international currency convertibility.

Hungary's interest in expanding hard currency exports is a major factor in its drive to improve relations with the United States and Western Europe. Since the conclusion of the U.S.-Hungarian Trade Agreement in 1978, overall bilateral trade has increased only modestly, from $166 million in that year to $187 million in 1980, but we expect U.S.-Hungarian trade to increase steadily over the years.

In the interest of expanding our exports to Hungary, the Eximbank approved a $10 million line of credit to the Hungarians in 1979 for the purchase of U.S. capital equipment and services. Hungary thus far has used $3.0 million from that credit line. In fiscal year 1980, the Commodity Credit Corporation announced a $15 million credit line to Hungary, but this offer was withdrawn when the Hungarians indicated that they did not intend to draw on it. They recently have paid cash for their purchase of agricultural commodities partly to avoid high U.S. interest rates.

The Hungarians have pressed for slow and stable economic growth in order to bring their current account into balance and slow the growth of foreign indebtedness. Following the oil price increases of the early 1970's, they incurred large trade deficits with the West, and financed these with heavy borrowing. By subsequently reducing investment and consumption, the government has been able to cut the rate of import growth and reverse these trends. As a result, Hungary's current account moved dramatically from a $1 billion deficit in 1979 into near balance in 1980. Hard currency borrowing fell in 1980. Hungary's net hard currency debt at the end of that year was about $8 billion, almost 90 percent of which is owed to private Western banks including roughly 10 percent owed to U.S. banks. The Hungarians continue to have excellent access to private capital markets, recent economic reforms and the program of austerity have renewed the financial community's confidence in their ability to manage their economy and foreign debt.

While for reasons of prudent economic management, the Hungarian leadership has made minimal use of our official financing programs in 1981, we believe that continued access to these sources of financing is important to future U.S.-Hungarian trade, because it can help U.S. exporters penetrate the Hungarian market. An extension of the existing waiver will make possible the continued availability of these credits and help in maintaining the overall reciprocity of economic benefits.

CHINA

Since February 1980, when China was granted MFN tariff treatment, both countries have benefited significantly from increased trade ties. In 1978, two-way trade was approximately $1.2 billion; by year-end 1981 it is expected to reach $6 billion. The U.S. has enjoyed a substantial surplus in its trade with China; this surplus reached $2.7 billion in 1980. We expect trade between our two countries to continue to expand.

The expansion of trade ties is only one aspect of our growing economic relationship with China. Last fall, the U.S.-China Joint Economic Committee, chaired on the U.S. side by the Secretary of the Treasury, met in Washington to review the broad range of bilateral economic issues. Specific areas which were addressed included finance, investment, trade policy issues, business facilitation and major projects. In addition, bilateral agreements were signed on textiles, civil aviation, maritime, and consular affairs. Given the rapid expansion of commercial and industrial ties, we have proposed to the Chinese the establishment of another joint commission, which would be chaired by Commerce Secretary Baldridge, to focus more specifically on commercial matters such as business facilitation, trade promotion and major capital investment projects.

In the last twelve months, we also have signed agreements with China pertaining to grain, the Overseas Private Investment Corporation (OPIC), and most recently Eximbank. The Eximbank agreements—overall operating and loan agreements—were concluded in May 1981 and provide the framework for U.S. Eximbank lending to China. Eximbank is currently considering requests for the financing of $75 million worth of U.S. exports relating to turbine generators and boiler components. Although China also has access to agricultural credits, it has not formally requested the use of Commodity Credit Corporation guarantees.

We have also seen expanded cooperation in the field of facilitate cooperation in this area, the Trade and Development Program (TDP) of the International Development Cooperation Agency has been especially active by helping to finance technical exhanges. Treasury tax officials met with the Chinese last fall and this past spring to discuss tax issues of mutual interest, particularly China's new joint venture income tax law and U.S. foreign tax credit policy. American banks have continued to expand financial relations with their counterparts in Beijing and we are pleased that in March the Bank of China applied to the Comptroller of the Currency for a license to establish a branch office in New York City.

On the whole China's financial situation is considered fairly healthy. The current economic retrenchment in China illustrates its leaders' intention to achieve modernization in a prudent and manageable way. Over the last two years, China has had access to approximately $30 billion in Western lines of credit, only a small portion of which have been drawn upon. Recently released figures indicate that Beijing estimated at the end of 1980 its total debt outstanding to $3.4 billion. With foreign exchange and gold reserves estimated at $6 billion and a debt service ratio of only about 7 percent, Beijing can continue to maintain a strong external financial position.

China has emerged over the last two years as an active participant in the internationl trade and financial arena. At the same time, the United States has greatly expanded the entire range of its economic ties with China. We feel that extension of the President's waiver authority is essential for the continued growth of this bilateral economic and political relationship, from which both sides benefit.

STATEMENT OF THE HONORABLE WILLIAM H. MORRIS, JR., ASSISTANT SECRETARY OF COMMERCE FOR TRADE DEVELOPMENT, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE SENATE FINANCE COMMITTEE, JULY 27, 1981

Mr. Chairman, it is a privilege to appear before this subcommittee today to speak in support of the President's recommendations to extend his general waiver authority under Section 402(c) of the Trade Act and the specific waivers for Romania, Hungary and China under Section 402(d)(5) of the Act.

Extension of the waivers permits continuation of Most-Favored-Nation (MFN) tariff treatment for these countries for 12 months and promotes the objectives of Section 402 of the Trade Act regarding freedom of emigration. It will allow us to derive the maximum benefits from our bilateral trade agreements with these countries. Extension of the waivers will demonstrate also our continuing support for the development of bilateral trade and the strengthening of our overall economic and political relations with Romania, Hungary and China. In my testimony I will discuss how the granting of MFN has spurred the development of those relations and expanded trade with these countries and why it should be continued.

I would also like to speak about the President's determination renewing both the U.S.-Romanian Trade Agreement and the U.S.-Hungarian Trade Agreement. Section 405 of the Trade Act limits trade agreements with non-market economy countries to three-year terms. The Trade Agreements with Romania and Hungary have operated successfully during the past three years and have benefited U.S. business. They are the cornerstones of our economic and commercial relations with these countries. We will explain the President's determination that a satisfactory balance *of concessions in trade and services has beem maintained* during the life of both Trade Agreements as required by Section 405(b)(1) of the Trade Act.

At this point, I wish to state for the record that the Department of Commerce fully endorses the veiws on emigration expressed here today by my colleague from the Department of State.

THE U.S.-ROMANIAN TRADE AGREEMENT AND ITS BENEFITS

In 1978, the U.S.-Romanian Trade Agreement was renewed for 3 years when the President determined, under Section 405(b)(1) of the Trade Act, that a satisfactory balance of concessions in trade and services had existed between 1975–1978. We contend that the same trade concessions and benefits have continued between the two countries during the past 3 years.

The Trade Agreement has given an important impetus to U.S.-Romanian economic relations over the past three years by providing for the continued mutual extension of MFN tariff treatment and by maintaining the positive atmosphere for the development of bilateral trade that has existed since 1975. The Agreement has led to a steady expansion of trade (see Table 1) which is explained more fully in the section on "U.S.-Romanian Trade Trends."

The Trade Agreement's business facilitation provisions have benefited U.S. business and provided an incentive for U.S. firms to do business in Romania. The Agreement does the following:

(1) Permits the establishement and operation of business representations in each other's territory and encourages the development of appropriate services and facilities supporting the commercial activity of those representations.

> During the past three years the number of U.S. firms with representation offices in Romania has grown and now numbers 32. Some have their own offices, others act through their European subsidiaries, and still others through another U.S. firm acting as their agent. For the most part these firms have secured office space centrally located to their needs and have obtained the services necessary to operate efficiently their offices, including the employment of local Romanian personnel.

(2) Allows foreign emloyees of firms doing business in each other's territory to reside therein and obtain appropriate housing and services.

> Several U.S. firms are currently doing business or carrying out specific projects in Romania with resident U.S. or other non-Romanian employees. Satisfactory housing and services have been provided to these employees in recent years. Where problems have developed in this regard, we have been successful in working with the Romanian authorities to solve them. For example, bilateral negotiations held in condjunction with the recently concluded Seventh Session of the Joint American-Romanian Economic Commission resulted in clarification of policies and procedures affecting U.S. businessmen operating in Romania, as well as discussions regarding measures being undertaken by the Romanian Government to assist U.S. businessmen in Romania.

(3) Permits foreign firms to deal directly with buyers and end-users of their products for purposes of sales promotion and servicing and provides for assistance in gaining access to appropriate governmental officials in each country.

> During the past three years access for U.S. firms, both operating in Romania and new-to-market, to Romanian end-users and research and design institutes, as well as to foreign trade organizations and industrial centrals, has improved. Also, high-level Romanian officials have shown a willingness to meet often with representatives of U.S. firms and frequently have helped resolve trade problems.

(4) Provides for access by firms and economic organizations of both parties to information concerning markets and services of each other's economy.

> The Romanian Government, through the Romanian Chamber of Commerce, has provided in recent years an increased amount of information and data in English on its economy and foreign trade system. A compilation of Romania's foreign trade laws; a foreign businessman's guide to doing business in Romania; lists, addresses and phone numbers of foreign trade organizations and industrial centrals; and statistics on the Romanian economy are all examples of information published by Romania within the last three years.

The safeguard provisions in the Trade Agreement provide a range of remedies for dealing with disruptive imports. Such flexibility includes the right to call for consultations with the Romanian Government and its economic organizations and to restrain imports from Romania unilaterally. I am pleased to report that it has not been necessary to use these special provisions.

In 1976–1977, the U.S. became concerned about the increasing number of Romanian wool and man-made fiber suit exports to the United States. Acting under the

GATT multifiber arrangement the U.S. consulted with Romanian authorities and in early 1977, a four-year, bilateral agreement establishing orderly growth in Romanian exports to the United States of wool and man-made fiber textiles and apparel was signed with an effective date of January 1, 1977. This agreement was renewed beginning on April 1, 1981, for a four-year period. Romanian cotton textiles and apparel exports to the U.S. remain subject to the levels of the pre-existing cotton textile and apparel agreement which was renewed in January 1978 for a 5-year period. Under both agreements several negotiations have taken place over the past 3 years during which apparel import quota levels have been adjusted to the satisfaction of both sides.

The Trade Agreement's industrial property rights provisions provide that both sides shall accord national treatment to each other's nationals, firms, companies and economic organizations with respect to industrial rights and processes. In response to the concerns of U.S. chemical companies about possible discriminatory provisions of Romania's patent law regarding chemical compounds, a working group on patent law issues met in conjunction with the Seventh Session of the Joint Economic Commission. The Romanian Government representative indicated that Romania is drafting a new patent law to reflect its obligation to provide national treatment for industrial property as well as changed conditions regarding international practice in the protection of chemical compounds. the Romanians also said that U.S. companies encountering specific patent problems may deal directly with the Romanian State Office of Inventions and Trademarks.

The Trade Agreement calls upon the Joint American-Romanian Economic Commission to review the Agreement's operation, which it did at its recently concluded Seventh Session, noting in particular the expansion of bilateral trade over the past three years.

In sum, both sides have adhered to the provisions of the Trade Agreement. Romania and the U.S. have given reciprocal MFN to each other's products with the result that trade has grown impressively. Also, Romania has provided benefits to U.S. firms through the business facilitation provisions of the Agreement. It has not been necessary to exercise the safeguard provisions of the Trade Agreement because Romania and the U.S. have been able to preempt market disruption issues through informal discussion and bilateral agreement.

The President also determined that reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations have been satisfactorily reciprocated by Romania. The U.S. concluded a satisfactory agreement with Romania in 1979 within the context of the Multilateral Trade Negotiations (MTN). Romania agreed to undertake certain measures designed to facilitate the conduct of business transactions in Romania and result in increased U.S. exports to Romania, while the U.S. agreed to certain tariff concessions for Romania worth nearly $9 million.

UNITED STATES-ROMANIAN TRADE TRENDS

Two-way trade with Romania reached a record high of $1.03 billion in 1980, continuing the steady growth rate that has characterized our trade since 1970. Trade has more than doubled since 1977 (see Table 1). Of last year's total trade, $720.2 million or 69.7 percent was U.S. exports for a U.S. trade surplus of $408 million. Total trade for the first five months of this year is $566.4 million, well ahead of last year's figure of $407.4 million for the same period. U.S. exports for five months are at $331.8 million, which is $44.2 million ahead of last year's rate for the same period, and comprise nearly 60 percent of total trade for this period. The U.S. trade surplus for this five month period is $97.2 million (see Table 2).

The growth in U.S. exports in 1980 was dominated by Romanian purchases of agricultural commodities, which grew from $42 million in 1978 to $339 million last year. Mineral fuels, especially coal, also rose substantially. Exports of machinery and equipment in 1980 recovered from a notable decline between 1978 and 1979, leaving them roughly even over the three year period. The principal U.S. manufactured exports to Romania in 1980 were airplanes and spare parts, drilling and boring equipment, metal-cutting machines, computer parts, hydraulic cranes, and parts for steam turbines. Overall non-agricultural exports grew from $61 million in 1977 to $132 million in 1980 (see Table 3).

At $312 million in 1980, U.S. imports from Romania fell by 5 percent for the second straight year, but still remained well above the 1977 level of $233 million. Naphthas remain the single largest import, but the decrease in value of such oil product shipments accounts for much of the decline in U.S. imports from Romania over the 1978–1980 period. Imports of railroad car kits and parts, steel plate and some light industry products (carpets, furniture, footwear and glass) continued to grow moderately in 1980 (see Table 4).

In contrast to the other industrialized Western countries, the U.S. position has improved dramatically in the past three years. Of the five leading Western traders (France, Germany, Italy, Japan, and the U.S.), the U.S. had the smallest trade surplus ($26 million) in 1977. By 1980 the U.S. had the largest surplus with Rominia ($408 million), and, more significantly, was the partner to register continued growth in its surplus.

EFFECT OF MFN ON UNITED STATES-ROMAINIAN TRADE

Romania went from Column II tariff treatment to nondiscriminatory tariff treatment in August of 1975, and then, with respect to a limited number of commodities, to preferential tariff status under GSP commencing in January 1976. The principal effect of granting MFN and GSP to Romania has been a rapid growth and development in our trade. The United States has become Romania's second leading trade partner in the West, after West Germany.

In 1980, two of the top four Romanian exports to the U.S. (petroleum products, including naphthas, and canned hams), which accounted for 20.5 percent of total exports, were unaffected by MFN tariff status. On the other hand, some of the top ten U.S. imports, such as textiles and footwear, were affected by the lower MFN tariff rates and are in areas where U.S. industry is sensitive to foreign imports. Romania, however, accounts for an extremely small percentage of total U.S. imports in any of these categories. Furthermore, whenever potential market disruption questions have arisen in recent years, they have been resolved through either informal consultations or bilateral agreements by which Romania's exports were either restrained or established at mutually agreed upon levels.

As a developing country, Romania has made use of the Generalized System of Preferences (GSP) program. In 1980, Romania exported to the U.S. approximately $85 million in products which were eligible for GSP. Of the top ten U.S. imports from Romania two benefited from GSP treatment: railroad cars and parts.

STATUS OF TRADE RELATIONS WITH ROMANIA

The expansion of our commercial relations in recent years can be attributed, in part, to the efforts of both governments to create a sound framework and favorable atmosphere for the development of trade and economic cooperation.

The United States has taken a number of steps designed to expand U.S. exports to Romania. Since November 1971, Romania has been eligible for trade financing programs of the Export-Import Bank of the United States (except for a short period of suspended activity from January 1975 to August 1975). Similarly, since 1970 the Commodity Credit Corporation (CCC) has played an important role in the export of U.S. agricultural commodities to Romania.

Romania has made continuing efforts to integrate its economy in the world economic system and to make its foreign trade system responsive to Western business needs. Romania in currently a member of the General Agreement on Tariffs and Trade (GATT), the International Monetary Fund (IMF), and the World Bank (IBRD). Participation in these and other international economic organizations has helped to facilitate Romania's efforts to deversify its trade outside of the COMECON countries. In 1980, appoximately 60 percent of Romania's trade was with non-communist nations.

Romania also has passed progressive legislation which allows foreign equity ownership in joint companies with Romanian partners and which permits U.S. and other Western firms to open representation offices in Romania. At present 32 U.S. firms or their European subsidiaries have representation offices in Romania.

Our two governments have taken important measures to expand trade and improve economic relations. First, the Joint American-Romanian Economic Commission has met annually to review our bilateral economic and commercial relations and to discuss and resolve trade problems. Since its founding in 1973, the Commission's work has been supported by numerous meetings of experts, working groups, and working level visits by trade officials of both countries.

The Commission recently met for its Seventh Session in Bucharest (May 14–15) and was co-chaired by Secretary of Commerce Malcolm Baldrige and Romanian Deputy Prime Minister Cornel Burtica. The Commission discussed in detail a wide range of issues affecting our economic/commercial relations. In conjunction with the Commission meeeting five commercial agreements/contracts were signed:

Shaffer Grinding Company and the Romanian Foreign Trade Organization (FTO) MASINEXPORTIMPORT: agreement to make grinding machines in Romania and establish a plant and marketing arm in the U.S.;

GE and the Romanian FTO ROMENERGO: cooperation agreement for the joint manufacture and sale in third markets of turbine generators for power stations;

3-M Co. and the Romanian FTO TEHNOIMPORTEXPORT: contract to sell 3-M video-tapes in exchange for Romanian furniture;

Lancaster Colony Division of Pitman-Dreitzer Co. and the Romanian FTO ROMSIT: long-term agreement to purchase Romanian glassware;

Vitco Co. and the Romanian FTO NAVLOMAR: contract to provide shipping services for Vitco's importation into the U.S. of Romanian glass, wood, and steel products.

High level economic visits have continued between the two countries, the most recent of which was Commerce Secretary Baldrige's May 1981 visit to Romania.

Both governments strongly support the work of the Romanian-U.S. Economic Council, which is facilitating increased contact between U.S. firms and Romanian companies and economic organizations and is helping to develop further our trade relations. The Council will next meet on November 5–6 in Houston, Texas. We look forward to the Council's important and continuing efforts to expand commerce between our two countries.

THE UNITED STATES-HUNGARIAN TRADE AGREEMENT AND ITS BENEFITS

Under Section 405(b)(1) of the Trade Act the President has determined that a satisfactory balance of concessions in trade and services has been maintained during the initial three-year life of the Trade Agreement. This means that benefits resulting from policy concessions by the U.S. or Hungary under the Trade Agreement have been reasonably comparable although they need not have been similar in character.

By providing for reciprocal extension of MFN tariff treatment the U.S.-Hungarian Trade Agreement has led to increased bilateral trade and improved relations between the U.S. and Hungary during the past three years. Trade has expanded in both directions since the Trade Agreement went into effect in 1978 (see Table 5), and a favorable setting has been created in which to further develop commercial contact between U.S. firms and Hungarian companies and economic organizations. The expansion of bilateral trade is explained more fully in the section below on "U.S.-Hungarian Trade Trends."

Even more important than trade expansion is the solid foundation for future bilateral trade and cooperation that the provisions of the Trade Agreement have helped to establish. In the area of business facilitation, the Trade Agreement:

(1) Permits the establishment and operation of business representations in each other's territory and encourages the development of appropriate services and facilities supporting the commercial activity of those representatives.

During the past three years two U.S. companies—Dow Chemical and the First National City Bank of Minneapolis—have obtained adequate office space and services, including telecommunications facilities and local Hungarian personnel. Where problems have arisen in establishing these facilities, the Hungarian government generally has been responsive. Other American companies also have indicated an interest in setting up representation in Hungary in the future.

(2) Provides for the publication and availability of economic and commercial information for use by companies and organizations on both sides to promote trade.

The Hungarian government has been one of the most forthcoming in Eastern Europe regarding the availability of economic and commercial information, which is disseminated fairly freely in English language newspapers, journals and specialized economic publications.

(3) Permits and encourages companies from each side to deal directly with buyers, users, and suppliers in the other country for trade promotion purposes and to exchange technical and economic information relevant to a specific transaction.

Access for U.S. businessmen to Hungarian suppliers, as well as to foreign trade organizations and end-users, has improved in the past three years. Visits to Hungarian enterprises and plants often provide useful information to U.S. business representatives. Hungarian commercial representatives and managers respond quite freely to specific questions.

(4) Allows foreign employees of firms doing business in each other's territory to reside therein and obtain appropriate housing.

A number of U.S. firms are currently doing business or carrying out specific projects in Hungary with resident U.S. or other non-Hungarian employees. Satisfactory housing and services have been provided to these employees in recent years. Where problems have developed in this regard, we have been successful in working with Hungarian authorities to solve them.

(5) Permits both governments to establish and operate commercial offices in the other country.

In 1980 the U.S. Government opened a Commercial Development Center in the American Embassy in Budapest, which provides a variety of facilities and services to businessmen on both sides. In addition, the Hungarian Government has established in Chicago a branch of its New York Commercial Office.

The Trade Agreement also contains provisions relating to resolution of problems resulting from disruptive imports. Should such problems arise, either side may call for consultations and may unilaterally restrain the disruptive imports. In the case of Hungary it has not been necessary to invoke these measures, since U.S. safeguards applicable to all imports have been adequate.

Since 1978 only two anti-dumping or market disruption complaints have been levied against imports from Hungary.

An anti-dumping complaint was made in 1978 against household incandescent light bulbs from Hungary. The International Trade Commission (ITC) determined that the imports were not causing, nor would they threaten to cause, injury to U.S. industry.

In March 1981 an anti-dumping complaint was brought against trailer axles from Hungary. To date, the ITC has made a preliminary determination of injury and the Department of Commerce is proceeding with its investigation of less-than-fair-value sales. Both agencies' final determinations are expected early in 1982.

The President also determined that reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations have been satisfactorily reciprocated by Hungary. In 1979, the U.S. and Hungary agreed to tariff reductions covering $26 million worth of goods, $20 million of which involved U.S. exports. Agreement was also reached on certain nontariff barriers to trade, including an important Hungarian concession on the elimination of its quota on imported consumer goods.

UNITED STATES-HUNGARIAN TRADE TRENDS

U.S.-Hungarian trade reached a total of $186.5 million in 1980, according to official U.S. Government trade data. Of last year's total, $79.0 million were U.S. exports and $107.5 million were U.S. imports (see Table 5). Total trade for the first five months of this year is $90.9 million and could exceed $200 million by the end of the year.

According to U.S. Census Bureau figures, in 1979 and 1980 the U.S. incurred deficits with Hungary of $35 million and $28 million, respectively. The reasons for these deficits are complex and due only in part to the granting of Most-Favored-Nation tariff treatment to Hungary. Since 1978, Hungarian products indeed have become more competitive in the U.S. market, but other factors help to explain this trade deficit, including:

A decline in Hungarian purchases of agricultural products during the past several years due to relatively good crop years in Hungary and a shift to alternative, less expensive, suppliers, such as Brazil;

Hungary's overall trade policy in 1979 to reduce hard-currency imports while stressing exports to the same markets;

Several U.S.-Hungarian industrial cooperation projects in Hungary which came on stream during the past two years generated increased exports to the U.S. in 1979 and 1980. For example, tractor and motor vehicle parts—the top ranking U.S. manufactured import from Hungary for both years—led the import advance with $23.2 million in 1979 and $25.6 million in 1980. These sales are largely a result of cooperation projects between Hungarian enterprises and International Harvester, Steiger Tractor, and Eaton Corporation.

Additionally, significant discrepancies exist between official U.S. and Hungarian trade figures (see Table 5). According to official Hungarian data, in 1979 U.S.-Hungarian trade totalled $272 million, with a $42 million surplus for the U.S. The same data show that in 1980, two-way trade reached $364 million, with a U.S. surplus of $118 million.

Documentation provided by the Hungarian Ministry of Foreign Trade indicates that the discrepancies involve certain U.S. exports—principally soybeans, cotton, cattle hides, and superphosphates—that are transshipped through third countries to Hungary. This documentation, which consists of U.S. certificates of origin and bills of lading, suggests that the above categories of U.S. exports are not being recorded in U.S. Census Bureau data. These discrepancies were discussed during the 1979 and 1980 meetings of the U.S.-Hungarian Joint Economic and Commercial Committee. Pursuant to these discussions, both sides have been working together so that information contained in the Hungarian documentation is adequately reflected in U.S. Customs documents, from which official U.S. trade data is compiled.

We are confident that the long-term prospects for expanded and diversified trade are real and are beginning to become evident. This confidence also is supported by the signing of three new joint ventures between U.S. and Hungarian firms in 1980, and by the success of U.S. firms participation in the Commerce Department-sponsored exhibit at the Budapest Spring Fair in May.

EFFECT OF MFN ON UNITED STATES-HUNGARIAN TRADE

The most important effect of MFN has been to normalize U.S.-Hungarian trade relations and to lay a foundation for future growth. Diversification in the composition of our trade is evidence that our overall trade relationship is healthy and growing. U.S. firms have indicated that since the signing of the Trade Agreement new doors have opened which can only lead to a strong, lasting and beneficial trade relationship to both countries. For example, this past March a Hungarian trade delegation traveled throughout the midwestern United States to explore the possibilities for cooperation with U.S. firms in several fields. The delegation stressed that our reputation for superiority in machine-building, electronics, automotives, and a number of other fields was an important consideration in its decision to seek partners in the United States. As Hungarian firms and industrial ministries learn more about American products and technology, and our own firms become better acquainted with the needs of the Hungarian market, exports should expand at a more rapid pace.

STATUS OF TRADE RELATIONS WITH HUNGARY

Since the signing of the U.S.-Hungarian Trade Agreement in 1978, both countries have worked to create a favorable climate for the development of trade and cooperation between our countries. The record shows that substantial progress has been made toward normalizing our economic and commercial relations.

The institutional framework between the two countries has been of significant value in advancing our relations. The U.S.-Hungarian Joint Economic and Commercial Committee was established in March 1978. I co-chaired the third session of the Committee, in Budapest last month. The frank and open discussions that were held illustrated the cooperative and friendly spirit with which the Hungarians view our commercial relationship. The significant progress which was achieved in resolving most of the outstanding issues on our bilateral trade relationship is proof of the valuable role the Committee plays in providing a link between our two governments in the commercial field.

Furthermore, our two countries have maintained a continuing dialog on a broad range of political, economic and cultural issues. This has been especially true regarding economic and commercial matters through the frequent visits to both countries by high-level government officials and working-level commercial delegations, as well as by U.S. Congressional leaders concerned with trade issues. The most recent of these was my May visit to Hungary, during which our bilateral economic and commercial relations were reviewed with senior Hungarian officials, including Deputy Prime Minister Marjai, Minister of Foreign Trade Veress, and State Secretary of Industry Juhasz. On behalf of Secretary Baldrige, I extended an invitation to Minister Veress to visit the United States.

In the private sector we have supported the work of the Hungarian-U.S. Economic Council in facilitating increased contact between U.S. firms and Hungarian enterprises and economic organizations. The Council last met in Houston in October 1980 and is planning to meet again in Budapest this fall. The Council continues to make an important contribution to the expansion of commerce between our two countries.

The presence of American firms in Hungary also has increased since 1978. Two U.S. companies have opened representation offices in Hungary to facilitate sales of goods and services and to develop cooperation activities. Other American firms representing a cross-section of U.S. industry are establishing and maintaining a broad commercial presence as they continue to enter into sales, cooperation and joint venture agreements. For example, three joint venture agreements between U.S. and Hungarian firms were concluded in 1980. From this presence an expanded and diversified U.S.-Hungarian trade relationship is expected to develop.

UNITED STATES-HUNGARIAN PATENT ISSUES

The protection of industrial property rights of U.S. agricultural chemical manufacturers is an issue in our commercial relations with Hungary. Specifically, the National Agricultural Chemicals Association (NACA) and certain of its member companies are concerned about (1) delays in obtaining patent protection in Hungary due to the filing of oppositions by Hungarian parties and (2) resolution of a commercial dispute between one NACA member company, FMC Corporation, and Hungarian parties, who are alleged to be shipping products to Brazil in violation of the U.S. firm's patent there.

The Departments of Commerce and State and the American Embassy in Budapest have worked closely with the NACA and the Hungarian Ministry of Foreign Trade in order to assure fair treatment for U.S. companies. This year, as in the two previous year, patent issues were discussed at the Joint Committee meeting. Most companies are satisfied with progress to date, and with the cooperation of Hungarian authorities. In cooperation with the NACA, we will continue to monitor developments closely and will support U.S. firms in their efforts to receive protection for their property rights. We will continue to use the U.S.-Hungarian Joint Economic and Commercial Committee mechanism to advance the interests of American companies in this area. Later this week I will go to Hungary to facilitate negotiations between FMC and Hungarian parties regarding protection of FMC's industrial property rights in Brazil.

UNITED STATES-PEOPLE'S REPUBLIC OF CHINA TRADE TRENDS

Since diplomatic relations were normalized in 1979, two-way trade has expanded at a rapid rate. Bilateral trade which doubled between 1978 and 1979, more than doubled again in 1980 to reach $4.8 billion. Of this, $3.75 billion was U.S. exports (see Table 9). Our $2.7 billion trade surplus was the fourth largest surplus in any of our trading relationships around the world. First quarter trade figures for 1981 show that two-way trade with China is up almost 60 percent over the same period last year, making China our third largest export market in East Asia. U.S. exports to China are up almost 53 percent over the same period in 1980, and China now ranks among our top 13 export markets in the world.

The pace of bilateral trade during the first five months of this year dispels the notion that U.S.-PRC trade peaked in 1980. U.S. exports to the PRC rose to $1.65 billion between January and May 1981, resulting in a trade surplus of about $944 million (See Table 9). Total two-way trade during this period was approximately $2.35 billion, affirming the Commerce Department's estimate that bilateral trade will reach $6 billion by the end of the year. Looking further ahead, we see two-way trade of at least $10 billion in 1984.

Although U.S. exports to the PRC are predominantly agricultural commodities, the share of non-agricultural goods in total trade is increasing. By 1980, non-agricultural products had risen to 41 percent of U.S. exports to the PRC as compared with 30 percent in 1978. Leading U.S. exports to the PRC include wheat, cotton, corn, man-made fibers, synthetic resins and technical instruments (see Table 10). Leading U.S. imports from the PRC include petroleum products, ores, textile and apparel, and other light manufactures (see Table 11).

This phenomenal expansison has occurred during a period of difficult economic readjustment for China. Despite current Chinese retrenchment policies, we expect bilateral trade to continue to grow at a healthy but substantially slower pace during 1981–1985, with opportunities shifting from large capital intensive projects to priority areas such as agriculture, transportation, energy, communications, and light industry.

EFFECT OF MFN ON UNITED STATES-PEOPLE'S REPUBLIC OF CHINA TRADE

During the seventeen months that MFN has been in effect, both exports and imports have increased at remarkable rates. So far, the U.S. has consistently exported more to China than we have imported from China. Since MFN status was extended to China in February 1980, the ratio of U.S. exports to China to imports from China has remained about 3 to 1. With the entry into force of the U.S.-China Trade Agreement, however, substantial reductions were made in the tariff levels applied to imports from China. Since that time Chinese exports to the U.S. have grown considerably. Recently, imports from the PRC have been increasing at a faster rate than U.S. exports to China. During the first five months of 1981, imports from China totalled $709 million, representing 98 percent increase over the same period in 1980, while U.S. exports to the PRC totalled $1.65 million, up 32 percent over the same period last year. Despite the difference in growth, we still have a healthy surplus in our trade account, and we expect this surplus to be on the order of $2.3 billion for 1981.

In 1980, of the 15 leading U.S. imports from China, only two (woolen floor coverings and knit sweaters) appear to have been substantially affected by lower MFN tariff rates. Imports of these categories comprise only about 6 percent of total U.S. imports from China. However, in expanding its exports to the U.S., China has concentrated on light manufacturing industries, some of which are considered to be economically sensitive domestically. As China has re-entered the U.S. market after a fairly lengthy absence, the strong Chinese performance in these sectors has caused concern.

In these cases we believe that bilateral agreements, as in the case of textiles, and existing import protection mechanisms, including escape clause, antidumping, and countervailing duty statutes, are adequate to meet specific problems.

STATUS OF COMMERCIAL RELATIONS WITH THE PEOPLE'S REPUBLIC OF CHINA

Since the U.S.-PRC Trade Agreement entered into force in February 1980, our two governments have made substantial progress toward normalizing commercial and economic relations.

A host of commercial agreements have been concluded to facilitate trade in the areas of agriculture, aviation, maritime affairs and textiles. We continue to develop wide ranging exchanges in science and technology which will pave the way for increased U.S. exports of technical equipment and instruments.

We have completed successful negotiations which will provide a foundation for American investment in China as well as facilitate U.S. exports. Since November 1980, the U.S. Overseas Private Investment Corporation (OPIC) has offered insurance and guarantee programs for U.S. firms doing business in China. To date, twenty-two companies have applied for OPIC coverage for operations in China, but most of the investments are in preliminary stages of negotiation. On May 8 the U.S. Export Import Bank and the Bank of China negotiated a memorandum of understanding on financing procedures and a loan agreement, thereby allowing Exim to move forward on several preliminary commitments for major U.S. projects in China.

Efficient utilization of American technology has been advanced by the exchange of technical expertise and the training of Chinese managers.

On June 15, the National Center for Industrial Science and Technology Management Development in Dalian, China, began its second session. This is a joint effort by the Department of Commerce and several Chinese institutions to provide intensive training in American scientific and technical enterprise management theories to Chinese managers, university professors and senior Chinese government officials. In addition to this program, hundreds of Chinese delegations—most concerned with trade, science and scholarship—have visited the United States. Nearly 500 American scholars are now studying, teaching or doing research in China and some 6,000 Chinese are engaged in similar pursuits in the U.S.

We are also completing the institutional framework for bilateral trade development. On June 4, Secretary Baldrige announced that the President would propose to the Chinese Government the formation of a new joint commission to deal exclusively with trade and commercial matters. Secretary Haig formally made this proposal to the Chinese on June 16 in Beijing. The Joint Commission on Commerce and Trade, which will be chaired by the Secretary of Commerce, will address a wide range of issues related to trade, business facilitation and major projects. The U.S.-PRC Joint Economic Committee, which held its first meeting last September, will continue to address broad economic policy matters.

Furthermore, our two countries have maintained a continuing dialogue on a broad range of political, economic, and cultural issues. In the economic and commercial area, this dialogue has been advanced through frequent visits to both countries by high level government officials, working level commercial delegations, and by U.S. Congressional leaders concerned with trade. This time last year, Bu Ming, Chairman and President of the Bank of China, led a delegation to the U.S. to meet with Export Import Bank, IMF and World Bank officials and with representatives of American banks. Last June, Federal Reserve Chairman Paul Volcker led a delegation to China to study China's financial and economic planning system. Last September, Vice Premier Bo Yibo led a high ranking delegation to the U.S. on the occasion of the first meeting of the U.S.-PRC Joint Economic Committee. In November 1980, former Commerce Under Secretary Herzstein traveled to Beijing to open the U.S. National Exhibition and to review bilateral commercial relations with senior Chinese officials.

During the past year, we have moved aggressively in our market development efforts. Direct marketing efforts and assistance to American firms interested in doing business with China comprise the core of the Commerce Department's trade promotion effort. Following the success of our National Trade and Economic Exhibition in Beijing last November—the largest exhibition the Department of Commerce has ever mounted anywhere in the world—we have plans for several additional trade promotion events in China in the coming year. Over the next twelve months we are planning four technical sales seminars and two video catalogue shows. Our major promotional event will be a national light industry exhibition which will focus on machinery and technology sought by the Chinese for their modernization effort. It will be held in Beijing in February 1982, on the occasion of the 10th anniversary of the signing of the Shanghai Communique.

At the same time we are taking steps to improve substantially the services and support that the U.S. Government offers to American firms in China. This will be accomplished when China is added to the list of 65 countries served by Commerce's Foreign Commercial Service. A Commercial Officer has already been assigned to Guangzhou and we expect to have an officer in Shanghai and a Commerical Counselor and an officer in Beijing this year.

The Chinese have taken measures during the past year to improve the business climate for American firms in China. For example, late last year they published new regulations on the establishment of representative offices, the joint venture tax law, and the individual income tax law. Through the U.S.-PRC Joint Economic Committee, we have worked to encourage the Chinese to make additional improvements in business facilities for American firms. These discussions have dealt with the requirements for permanent representation, the acquisition of multiple entry visas, easing of travel controls, lower tariffs on imports of office equipment, and access to office space at reasonable rates.

Discussions on these and other issues continue as we clarify our trade relationship with China and lay the foundation for further cooperation and expansion of trade opportunities for American companies.

CONCLUSION

Both the U.S.-Romanian Trade Agreement and the U.S.-Hungarian Trade Agreement have served U.S. economic interests well and should continue to do so in the future. Extension of the waiver authority under Section 402 of the Trade Act for Romania, Hungary, and China and renewal of these Trade Agreements, are in our national interest. They will accelerate the development of our economic and commercial relations with these countries and support the expansion of our economic cooperation on a firm and enduring basis.

TABLE 1.—VOLUME AND COMPOSITION OF UNITED STATES-ROMANIAN TRADE, 1976–81

[In millions of dollars]

	1976	1977	1978	1979	1980
U.S. exports:					
Manufactured goods	49.2	61.0	118.9	100.3	134.4
Agricultural commodities	171.6	118.3	148.5	336.5	462.6
Other (primarily bituminous coal and phosphates)	28.2	80.1	50.5	63.7	123.2
Total	249.0	259.4	317.4	500.5	720.2
U.S. imports:					
Manufactured goods	95.2	133.8	212.9	230.3	229.4
Agricultural commodities	16.1	20.6	31.4	34.0	30.2
Other (primarily fuel oil and petroleum naphthas)	87.5	78.9	102.3	65.0	52.2
Total	198.8	233.3	346.6	329.3	312.2
Trade turnover	447.8	492.7	664.0	829.8	1,032.4
Trade balance	+50.2	+26.1	−29.2	+171.2	+408.0

TABLE 2.—UNITED STATES-ROMANIAN TRADE, 1981

[In millions of dollars]

	January-May 1980	January-May 1981
U.S. exports	287.6	331.8
U.S. imports	119.8	234.6
Trade turnover	407.4	566.4
U.S. surplus	167.8	97.2

TABLE 3.—LEADING U.S. EXPORTS TO ROMANIA, 1976–80

[In millions of dollars]

1980 rank	1976	1977	1978	1979	1980
1. Corn	7.5	15.8	22.7	104.2	158.2
2. Wheat	48.5	16.0	0	12.5	89.1
3. Livestock feed	17.7	9.5	8.6	57.0	69.2
4. Soybeans	45.3	38.6	40.8	73.9	61.7
5. Bituminous coal	10.7	53.6	32.4	29.1	61.2
6. Raw cotton	0	6.5	13.5	24.0	33.0
7. Airplanes	0	0	0	0	29.7
8. Cattlehides	26	26.7	52.2	59.7	28.8
9. Coal coke	0	0	0	0	18.6
10. Phosphates	6.8	14.9	11.0	21.8	17.3
11. Tin-coated steel sheets	12.8	6.1	5.8	.5	15.5
12. Measuring, controlling instruments	6.7	6.8	5.9	5.8	11.5
13. Poultry	0	0	0	0	11.2
14. Barley	0	0	0	0	8.0
15. Sulfur	0	0	0	2.7	7.2
Subtotal	182.6	194.5	192.9	391.2	620.2
Total U.S. exports to Romania	249.0	259.4	317.4	500.5	720.2

Source: U.S. Census Bureau.

TABLE 4.—LEADING U.S. IMPORTS FROM ROMANIA 1976–80

[In millions of Dollars]

1980 rank	1976	1977	1978	1979	1980
1. Petroleum products, including napthas	79.3	53.0	95.2	54.6	44.5
2. Leather footwear	17.8	20.4	35.2	41.1	41.6
3. Railway vehicles and parts	0	0	0	19.7	30.4
4. Meat in airtight containers, including canned ham	13.0	14.8	21.7	25.2	19.5
5. Furniture and parts	4.1	6.7	11.3	14.6	15.7
6. Glassware	4.4	5.2	8.9	12.9	12.5
7. Women's, girls' and infants outerwear of cotton, wool, manmade fibers	4.5	9.6	13.8	9.8	12.2
8. Iron, steel plates, sheets	0	0	14.6	7.2	12.0
9. Nonelectric parts for machinery, including ball bearings	.7	4.2	6.9	12.8	11.7
10. Tractors	2.8	7.4	8.2	10.7	11.2
11. Carpets	1.7	4.1	7.6	11.3	10.4
12. Iron, steel pipes, tubes, fittings	.2	6.8	12.2	6.7	10.1
13. Machine tools for metal	3.2	3.4	4.5	7.8	8.0
14. Synthetic and reclaimed rubber	1.4	1.0	3.7	8.8	7.3
15. Cheese	1.7	2.3	3.8	5.0	6.2
Subtotal	134.8	138.9	247.6	248.2	253.3
Total United States imports from Romania	198.8	233.3	346.6	329.3	312.2

Source: U.S. Census Bureau.
Note.—Due to classification changes, 1978–80 data is not directly comparable with previous years's figures.

TABLE 5.—VOLUME AND COMPOSITION OF UNITED STATES-HUNGARIAN TRADE, 1976–81

[In millions of dollars]

	1976	1977	1978	1979	1980	[1] 1980
U.S. exports:						
Manufactured goods	40.0	44.8	44.2	52.4	53.96	84.7
Agricultural commodities	22.4	33.9	52.7	24.5	24.42	155.1
Other	.7	1.1	.8	.7	.64	.3
Total	63.1	79.8	97.7	77.6	79.02	241.0

TABLE 5.—VOLUME AND COMPOSITION OF UNITED STATES-HUNGARIAN TRADE, 1976–81—Continued

[In millions of dollars]

	1976	1977	1978	1979	1980	¹ 1980
U.S. imports:						
Manufactured goods	26.2	20.3	33.6	75.6	76.50	
Agricultural commodities	22.5	26.2	34.6	35.9	30.04	
Other	.3	.1	.3	.7	.91	
Total	49.0	46.6	68.5	112.2	107.45	123.0
Trade turnover	112.1	126.4	166.2	189.8	186.5	364.0
Trade balance	+14.1	+33.2	+29.2	−34.6	−28.4	+118.0

[1] Hungarian data: Includes articles transshipped through third countries.

TABLE 6.—UNITED STATES-HUNGARIAN TRADE, 1981

[In millions of dollars]

	January–May 1980	January–May 1981
U.S. exports	36.9	36.0
U.S. imports	45.3	54.9
Trade turnover	82.2	90.9
U.S. balance	−8.4	−18.1

TABLE 7.—LEADING U.S. EXPORTS TO HUNGARY, 1976–80

1980 rank	1976	1977	1978	1979	1980
1. Soybean oil cake and meal	14.5	12.3	32.4	13.4	17.9
2. Motor vehicle and tractor parts	5.5	6.0	5.5	4.1	7.9
3. Pharmaceuticals		.2	1.4	1.0	4.2
4. Measuring and controlling instruments	.9	2.3	2.7	3.1	3.8
5. Soil cultivation machinery			10.9	3.6	3.3
6. Cotton denim				1.2	2.9
7. Glass rods and tubes	1.4	1.5	2.3	2.2	2.9
8. Cattle hides	3.5	4.3	4.2	5.4	2.1
9. Agricultural tractors			.2	.1	1.8
10. Inorganic bases and metallic chemicals			.4	.8	1.4
11. Asbestos brake linings and pads					1.4
12. Metal-cutting machine tools			.1	.2	1.3
Subtotal	25.8	26.6	60.1	35.1	50.9
Total	63.0	79.7	97.7	77.6	79.0

Sources: U.S. Census Bureau.

TABLE 8.—LEADING U.S. IMPORTS FROM HUNGARY, 1976–80

1980 rank	1976	1977	1978	1979	1980
1. Motor vehicle and agriculture tractor parts	6.7	4.0	1.2	23.2	25.6
2. Canned hams and pork	19.8	20.0	26.4	23.2	22.8
3. Footwear	.5	1.9	6.4	5.6	9.7
4. Lightbulbs	3.9	4.1	5.9	8.3	8.2
5. Men's and boy's outerwear	.1	.3	.9	4.0	2.9
6. Bacon			.9	2.6	2.9
7. Miscellaneous organic chemicals			.8	6.7	2.4
8. Typewriters	.1	.3	1.6	4.2	2.4

TABLE 8.—LEADING U.S. IMPORTS FROM HUNGARY, 1976-80—Continued

1980 rank	1976	1977	1978	1979	1980
9. Glassware	.8	.7	.7	1.2	1.9
10. Toys and sports equipment				.2	1.9
11. Tires and tubes	2.3	1.8	2.8	4.2	1.7
12. Women's, girls' and infants outerwear			.2	1.5	1.7
Subtotal	34.2	33.1	47.8	84.9	84.1
Total	49.0	46.6	68.5	112.2	107.5

Source: U.S. Census Bureau.

TABLE 9—VOLUME AND COMPOSITION OF U.S.-PRC TRADE, 1978-81

[In millions of U.S. dollars]

	1978	1979	1980	January-May 1980	January-May 1981
U.S. exports:					
Manufactured goods	192.5	653.0	1,223.2		
Agricultural commodities	573.4	990.2	2,209.5		
Other	52.4	73.3	316.3		
Total	818.2	1,716.5	3,749.0	1,250.1	1,652.8
U.S. imports:					
Manufactured goods	225.0	361.9	715.7		
Agricultural commodities	84.7	88.0	136.2		
Other	14.3	142.4	206.4		
Total	324.0	592.3	1,058.3	358.8	708.7
Trade turnover	1,142.2	2,308.8	4,807.3	1,608.9	2,361.5
Trade balance	+494.2	+1,124.2	+2,690.7	+891.3	+944.1

TABLE 10.—LEADING U.S. EXPORTS TO PEOPLE'S REPUBLIC OF CHINA, 1978-81

[In millions of U.S. dollars]

1980 rank	1978	1979	1980	January-March 1980	January-March 1981
1. Wheat	250.2	214.1	1,093.3	55.0	352.5
2. Cotton	157.3	357.0	701.3	275.3	314.4
3. Corn	111.7	268.5	224.5	73.4	15.3
4. Noncellulosic manmade fibers	46.4	62.2	193.6	24.8	55.2
5. Soybeans	15.3	106.7	155.2	61.1	49.6
6. Aircraft	0	5.7	146.7	51.5	0
7. Synthetic resins	2.0	30.5	117.7	18.9	29.3
8. Kraft paper and paperboard	.4	2.5	93.3	0	25.8
9. Diammonium phosphate fertilizer	19.7	3.7	85.2	14.9	27.8
10. Yarn and thread of nylon, polyester, et cetera	1.3	27.8	62.6	10.7	44.4
11. Soybean oil	26.1	35.9	56.5	23.9	17.1
12. Noncellulose woven fibers, tire fabrics	.9	5.7	54.7	3.2	23.5
13. Measuring and controlling instruments	11.7	46.5	44.8	11.6	11.9
14. Bovine leather	(1)	3.8	38.0	10.3	5.1
15. Urea	15.2	27.2	35.0	1.9	3.0
16. Synthetic organic pesticides	9.0	12.9	31.4	20.9	.9
Subtotal	667.2	1,210.7	3,133.8	657.4	975.8
Total, U.S. exports to the PRC	818.2	1,716.5	3,749.0	774.8	1,183.2

[1] Negligible.

Source: U.S. Census Bureau.

TABLE 11.—LEADING U.S. IMPORTS FROM PEOPLE'S REPUBLIC OF CHINA, 1978–81

[In millions of U.S. dollars]

1980 rank	1978	1979	1980	January–March 1980	January–March 1981
1. Oil products		24.6	115.9	17.5	22.3
2. Outerwear apparel—women's girls', infants' (not knit)	17.6	47.1	80.7	16.1	33.7
3. Sweaters and other outerwear apparel (knit)	9.4	18.4	58.3	4.3	18.0
4. Miscellaneous manufactured articles	20.3	23.9	49.8	7.8	19.7
5. Floor coverings and tapestries	13.6	22.0	49.4	9.9	16.7
6. Woven cotton fabric	38.3	24.7	45.4	8.4	24.7
7. Artworks collectors' pieces and antiques	12.3	15.9	38.4	5.3	7.6
8. Crude animal materials	34.2	21.1	37.8	11.0	9.6
9. Outer garments men's and boys' (not knit)	11.4	26.0	37.2	6.4	13.3
10. Ores and concentrates	6.4	14.1	33.4	4.3	15.3
11. Inorganic chemicals and compounds, NSPF	3.6	18.9	31.8	13.0	10.7
12. Base metals, wrought or unwrought	4.2	5.0	31.2	5.3	5.9
13. Men's and boys' shirts and undergarments, women's girls' and infants undergarments (not knit)	9.9	28.8	29.7	5.4	10.5
14. Made-up arts and textile materials NSPF	6.2	10.5	28.1	4.7	11.4
15. Crude materials	2.3	8.3	25.0	2.1	5.9
16. Footwear, new	3.4	18.4	24.0	4.5	9.8
17. Explosives and pyrotechnic products	12.1	15.6	23.3	3.9	6.3
18. Organic chemicals and products NSPF	3.9	8.8	22.8	4.3	6.9
19. Prepared or preserved vegetables	1.6	2.0	20.5	1.4	3.8
Subtotal	210.7	354.1	782.7	135.6	252.1
Total U.S. imports from the PRC	324.0	592.2	1,058.3	205.7	380.4

Source: U.S. Census Bureau.

Senator DANFORTH. A member of the second panel is not able to be here yet. He has been delayed. We will proceed now to the third panel which consists of Jacob Birnbaum, Cyrus C. Abbe, and Nina Shea.

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY

Senator DANFORTH. Would you like to proceed, Mr. Birnbaum?

Mr. BIRNBAUM. Thank you.

May we congratulate you on your appointment to this important committee. We look forward to a long period of cooperation in the opportunies provided by the "freedom of emigration" section incorporated in the Trade Act of 1974.

Section 402 represents a unique human wedge thrust into commercial and political complexes which normally take little account of moral considerations.

Though 402 has been imperfectly interpreted and continuously circumvented by those who deny the legitimacy of directly linking to humanitarian concerns to worldly interests, we have nevertheless noted the superior effectiveness of such linkage, in comparison to unlinked pleas for compassion and good will.

Both public pressures and quiet diplomacy, each of which are needed to complement the other, tend to be considerably enhanced by this kind of linkage.

Since the Romanians obtained MFN in 1975, section 402 has played a unique role in spotlighting the human rights failures of the Romanian regime, particularly in the area of emigration.

Unfortunately, the Romanians have had considerable success in circumventing the requirements. Unlike Hungary and China, they have never given us the mandated assurances. Year after year they obscured the facts of enormous emigration obstacles, introduced, incidentally, after gaining MFN, by means of extensive lobbying, in Washington.

They have been lavish with vague declarations of reassurance. After four years of growing congressional pressures, however, it became clear that they had to concede somewhere.

Accordingly, they made a quick decision in 1979, to double the migration rate to the United States. Nearly 3,000 reached the United States in 1980.

Characteristically, long-separated families remained separated, as examples to others of punishment and intimidation.

By contrast, during the same period, migration to Israel was outrageously curbed from over 4,000 annually, during 1973 and 1974, to less than 1,000 in 1979.

Worse, during the first 6 months of this year, only 329 Romanian Jews reached Israel, a monthly average of 55, compared with 250 to 350 a month in the years before MFN.

We have little doubt that just as the Romanians saw fit to generate significant increases in the number of Romanian nationals migrating to the United States and West Germany, they will have no difficulty in adding a couple thousand more to the current shabby trickle reaching Israel.

But, before this can happen, we have to send clear, firm signals to the Romanians that these pittifully low levels are unacceptable in Washington.

The committee will have to insist on the implementation of its own recommendation of 1979 to the administration, for "renewed, more aggressive initiatives" to lead to "more specific assurances on emigration" such as those which preceded the granting of MFN to Hungary and China.'

Such intensive discussions will have to focus on (a) emigration procedures; (b) reunion of long-separated families and affianced couples, (c) reversion of Jewish emigration to pre-MFN levels of 3,000 to 4,000 annually, (d) treatment of religious and minority groups such as the Evangelical Christians and the Hungarians.

The problem of Romanian Jewish emigration stems from the Nazi destruction of a great East European Jewish community, followed by the impostion of an oppressive Communist totalitarian regimes.

Renewed and intensified discussions with the Romanians now should set in motion a process whereby the problem could be resolved within this decade.

Thank you, Mr. Chairman.

Senator Danforth. Thank you, sir.

Mr. Abbe.

STATEMENT OF CYRUS G. ABBE, ATTORNEY, NEW YORK

Mr. Abbe. Thank you, Senator Danforth.

First, I would like to thank you and the members of your committee for your personal intervention on behalf of the numerous individual cases that I have submitted to you of Jews who have been trying desperately to leave Romania and go to live in Israel.

I would like specifically, during the limited time I have here to answer a number of the contentions made by Mr. Scanlan, when he spoke on behalf of the administration.

First, I would like to say, however, that your figures were right. The emigration is now down to less than the 20 percent of what it was in pre-MFN times. We hope it will go up.

I would like first to discuss Mr. Scanlan's current—the population figures suggested by him.

The "World Fact Book of 1981," which was formerly called the National Basic Intelligence Fact Book is produced annually by the National Foreign Assessment Center of the Central Intelligence Agency.

The data is provided by various components of the Central Intelligence Agency, the Defense Intelligence Agency, the Bureau of the Census and the U.S. State Department, itself, and is compiled in April 1981, based on information available as of October 1980.

The number of Jews in Romania is listed in this book as 60,000, not less than 50,000, as Mr. Scanlan stated today.

Second, the "Encylopedia Judaica" which also takes population figures has listed the figure at 70,000 Jews which are currently in Romania.

Based on numerous discussions I have had with Jews both in Romania and in the United States and Israel, the general feeling I have is that the number of Jews in Romania is about 70,000.

I want this to be well-understood, because the administration is making a big point of the supposedly lower pool of individuals who are at the present time available to emigrate.

Another thing which I would like to mention, of which Mr. Scanlan made a very big point, is the bureaucratic slowdown that is involved in Romania.

As you probably know, every single time these hearings come up, the Romanians find it very, very easy to speed up that procedure and the number of emigration approvals you suddenly get from the Romanian Ambassador jumps enormously.

They can get people out as fast as they want. It doesn't take 12 to 15 months to process an application for somebody who says he wants to leave and to make sure he has paid his electric bill.

When I have asked Senators and Congressmen, at times, to intervene on behalf of specific individuals who are in trouble, they have been able to get emigration visas for individuals in 72 hours or a week.

The bureaucratic slowdown is an excuse rather than a real reason for explaining why the Romanians are preventing Jews from emigrating.

Third, I would like to say that the number who are leaving at the present time are very, very far in excess of what you get on your number. But you have to understand the application procedure which provides that there is a preliminary application and then only when that is there a hearing followed by a long application form of visa.

All of this encourages the individual not to apply. During this period there are numerous reprisals taken against the applicant so that he is afraid he may lose his job or be drafted into the Army. Therefore, there is an enormous deterrent to applying.

If there wasn't this disincentive, you would be swamped with names of many more people who are applying to emigrate, but it takes a long time before someone gets the courage to submit his application for emigration.

As far as the Jewish Community Agreement which was entered into, I would tend to say that this has been unfortunately, and much to our great regret, a complete failure.

The agreement said that anybody who wanted to emigrate would be free to do so. As you know from the figures, that is not so.

The second condition was that the application forms for exit visas would be freely available. The application forms are not freely available and people go through a tremendously difficult and onerous application period and procedure before they can get them.

The third was that the applications would be processed expeditiously. I know of cases where individuals are waiting in excess of 2 years to leave and this process is anything but expeditious.

Therefore, I hope, unless you get concrete assurances from the Romanian Government and not just the same verbal assurances they say every year, that you will not extend the waiver to Romania.

Thank you.

Senator DANFORTH. Ms. Shea.

STATEMENT OF NINA SHEA, INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

Ms. SHEA. Mr. Chairman, I want to thank you for inviting me to appear before this subcommittee today. I am testifying on immigration from Romania, on behalf of the International League for Human Rights.

The league is a nongovernmental organization with consultative status with the U.N. and other international organizations and has worked for 39 years to promote human rights of all peoples, in accordance with international law.

The freedom of immigration requirements for the granting of most-favored-nation trade status provides important incentives for countries such as Romania, to improve the human rights conditions.

The international league recommends that the U.S. Government, in the context of extending trade privileges, raise specific immigration concerns to the Romanian Government and secure concrete assurances from it that immigration procedures will be facilitated and citizens will be allowed to leave their country.

It is important that the review of MFN status continue on an annual basis. This is in keeping with the spirit and letter of the law.

Since the signing of the Helsinki Final Act by 35 nations in August 1975, the international league has closely monitored the implementation of the family reunification provisions of that document.

Since then, requests for assistance on immigration and family reunification problems have become a major component of the league's casework programs.

In the past 3 years, the international league has intervened on behalf of some 300 Romanian individuals or families who have requested assistance in obtaining permission to leave the country.

In the 1-year period, from June 1980 to June 1981, the league received approximately 150 requests for assistance concerning Romanian citizens wishing to emigrate.

In the same period of the previous year, the league received 30 assistance requests.

Although the increase may be explained as a reflection of the growing awareness of the league's work in immigration and family reunification problems among East Europeans, the large number of cases received in the past year nevertheless evidences continuing restrictions on immigration by the Romanian Government.

Under domestic law, the Romanian citizen does not have the right to leave. The present Romanian Constitution and its legal code are both silent on the question of a citizen's right to leave the country.

The existence of a variety of laws stipulating lengthy and complex laws and conditions for acquiring exit visas and passports, make it apparent that this absence of legal safeguards have given way to the state's claim of the right to control the movements of its citizens.

The hundreds of cases which have come to the league's attention in recent years indicate that the laws and regulations governing the movement of citizens leaving Romania are designed to thwart travel across borders.

The citizen must first apply for an application form by submitting a document which itself is difficult to obtain. There are no codified laws defining the procedures for obtaining the immigration application, resulting in their arbitrary issuance by local officials.

In some cases, authorities have refused to issue the application form all together. Once acquired, the application consisting of numerous forms, must be completed and submitted along with a variety of certifications.

The applicant must also appear before special people's commissions composed of party officials, police authorities, neighbors, employers, and coworkers who interrogate prospective applicants on their reasons for leaving in an attempt to dissuade them from doing so.

Finally, the country of destination must be stamped on the exit visa before the applicant has determined his or her eligibility to enter that country.

Procedures for obtaining a travel visa are similarly lengthy, cumbersome, and frought with bureaucratic obstacles.

Travel visas are limited as to duration and destination. Family members of the traveler must remain behind in Romania as security for his or her return.

Employers are often required to sign statements guaranteeing their employees' return.

In addition to the difficult legal procedures, visa applicants often face severe economic, social, and psychological deterrence to travel.

Mr. Chairman, this cannot be simply discounted as a bureaucratic redtape. Such reprisals for applying to emigrate include property confiscation, apartment evictions, job dismissal or demotion, salary reductions, and expulsions from schools and universities.

Heads of households have reported being transferred to jobs in remote areas after applying for immigration, sometimes resulting in forced separation of families, even within Romania.

Mr. Chairman, that concludes my statement. I would like to submit for the record, over 100 case digests received by the League of Romanians currently being denied permission to emigrate.

Senator **Danforth**. Thank you all very much for your testimony.

Mr. Birnbaum, Mr. Abbe, you have devoted so many years to this effort. I know you have been most helpful to this subcommittee in the discharge of its responsibility.

I very much appreciate the effort and time and the commitment you have put into this matter, and the time and effort that you have generously given to this subcommittee.

It is my understanding from all of your testimony that first of all the notion that everybody who wants to leave has left Romania, and that there are very few people remaining who want to leave is just erroneous.

Mr. **Abbe**. Completely erroneous, Senator.

Senator **Danforth**. Moverover, that there are known individuals, many of them, who do want to leave, but who cannot leave, and that there are countless others who would want to leave if it were not for what amounts to harassment by Romanian authorities.

Mr. **Abbe**. Yes. What I want to stress to you is that the total number of applications you hear about is only a fraction of the number of people who want to leave, because the tremendous harassment and reprisals that are taken against applicants frightens a lot of individuals from even taking the first step of submitting or requesting an application.

Senator **Danforth**. Do you think we are better off or worse off than we were before most favored nation status was granted?

Are the Romanians more or less forthcoming?

Mr. **Abbe**. The application procedure has gotten worse. They have put more obstacles in the way of individuals seeking to leave.

It used to be easier to get an application than it is now.

The number of Jews allowed to emigrate has gone down 80 percent from the number that was allowed to leave before.

Therefore, it is wrong to suggest that there has been any improvement from the time just prior to MFN when the Romanians were making a point of trying to prove to the American Congress that they could do something worthwhile in this area. My feeling is that the situation is a lot, lot worse.

But, if the Congress would insist upon allowing Jews to emigrate to Israel, as it appeared to insist a couple of years ago upon improvement with respect to immigration to America which led to an increase in the number of Romanians allowed to emigrate to America and if the Romanians were to perceive that Congress was just as intent on assuring Jews in Romania would be able to go to Israel (and the MFN legislation doesn't differentiate regarding destination nor does the Helsinki Accord which is signed between both countries suggest that there is any distinction due to the destination of the applicant), in other words if Congress were to make clear to the Romanians that it was as much concerned about Romanian Jews being allowed to go to Israel, as it is concerned that other Romanian individuals be allowed to come to the United

States, I think that the numbers of Jews allowed to emigrate to Israel would increase markedly and the problem would be resolved within a number of years because of the increase in the number of Jewish emigrants from Romania.

But there are, in my feeling, tens of thousands of Jews that want to leave to Israel, and they are being prevented from leaving. If the number of Jews allowed to emigrate was 4,000 a year, as it was prior to MFN, this would be much better.

Mr. **Birnbaum**. There are some very important questions here.

Over the past few years, we have seen that almost mechanically, Bucharest may increase or decrease the number of people who are allowed out, within a matter of weeks.

Let us take some of the low figures of this year. These are not remotely comparable with the thousands who were allowed to go before MFN.

This year, in April, only 28 passports were issued.

In May, after the meetings with Romanian Foreign Minister Andre, 105 passports were issued.

The jump from April to May clearly indicates that the Romanian authorities can manipulate the flow up and down as they wish.

I have now made some new studies which suggest that the whole question of the decline in the Jewish population pool in Romania is a red herring.

We haven't come to that point at all. Of course there is a somewhat declining Jewish population, but we are speaking about a much larger pool than the Romanian admit. I have made a close analysis of the lists of people who have arrived in Israel and the people who have received approvals from Bucharest. I have compared the arrival lists with those we received from Bucharest of people who have applied to leave.

I found there that the people who officially registered with the Jewish community, comprise only 35 percent, maximum 40 percent, of the people who actually left or obtained approvals to leave.

This means that a large proportion, 60 to 65 percent of these people did not register with the Jewish community for the purpose of leaving.

This would suggest in fact that the Jewish population pool of Romania is much larger than the official census figures provide.

The official population figures, there are two sets of such figures which are self-contradictory; one is 25,000 and one is 35,000. The actual numbers are much more likely to be between 60,000 and 70,000.

In 1975-76, everyone, the Romanians, the administration, Jewish sources, was all speaking in terms of 80,000 and even more.

It is very obvious why the Romanians are trying so hard to confine us within a sham demographic box. This line, so dangerous to Romanian/Jewish emigration is the one also adopted by the House Foreign Affairs Committee. I had a long letter from Mr. Zablocki, indicating that within a few years there will be no emigration potential left. They bought the Romanian line.

Mr. Chairman, it seems to me that, as I said in my testimony, if measures could be taken to recommend to the administration a much more intensive and much more detailed set of discussions with the Romanians in this whole area, we can begin to set ourselves on the road to a solution.

However, the way it is going now, I am afraid the Romanians are not taking the slightest notice in the area of Jewish emigration, though the emigration to the United States has increased considerably.

This was obviously done to please Washington.

Many, many cases, as I am sure you will hear from Father Galdau and others, the difficult cases of family separation tend to remain. The procedures have in no way improved.

In fact, after 1975, they were deliberately made far more complex.

Senator DANFORTH. Senator Dole.

Senator DOLE. Mr. Chairman, I have no questions. I did want to include a statement in the record. I certainly think everyone on this committee and this Senator has been long concerned with the immigration problems.

As cochairman of the Helsinki Commission and as chairman of the Finance Committee, I want to indicate that I intend to support extension of the waiver authority and MFN treatment for Romania, but I do have serious reservations, some have been expressed this morning.

I have a statement that indicates one of the problems I see, is the harassment and the application procedures. I would only say this to the witnesses and others who may appear later, that I don't say this in criticism of previous committees, but we do have a new day in this committee, a new leadership in this committee. We are going to be measuring the progress in the next—before the next extension.

I think it is fair to say we will be watching very closely if in fact the application procedures are streamlined, if in fact there is harassment.

So, I would hope that this period of time, those who have a direct interest, and I am certain the present panel has and others who will be testifying, keep that in mind.

I would ask that my statement be made a part of the record. Thank you.

[Senator Dole's statement follows:]

STATEMENT OF SENATOR BOB DOLE—EXTENSION OF MFN TRADE STATUS

Mr. DOLE. Mr. Chairman, I have long been concerned with the emigration problems that have plagued those seeking exit from the Socialist Republic of Romania. As co-chairman of the Helsinki Commission and Chairman of the Finance Committee, I would like to address this issue as it relates to the hearing today on extension of the President's authority to waive section 402 of the Trade Act of 1974.

While I intend to support extension of the water authority and MFN treatment for Romania, I have serious reservations. Although the number of Romanians allowed to emigrate in 1980 was impressive, this fine record has slid during the first six months of 1981. Largely due to sharp increases in Romanian emigrants to the United States and the Federal Republic of Germany, the 1980 emigration figure was 16.8 thousand, compared to 10.4 thousand in 1979. While emigration to Israel in 1980 was up slightly over 1979, it has dropped in the first half of 1981; 308 approvals were granted as compared to 360 in the first half of 1980. Even though I am pleased with the overall Romanian emigration figures for this past year, I think the decline in approvals to Israel should be a matter of serious concern in this waiver hearing.

I would like to point out that not only should we be concerned with numbers here, but also with long and obfuscating emigration application procedures, and with reports of harassment of those who apply for exit. Let me cite just a couple of examples:

Mr. Brigitte Alexandres, of Washington, D.C. has been trying for 16 years to gain approval from Romanian authorities for her granddaughter, Diana Diplan, to visit her in the United States. While Diana has gone through all of the proper procedures for her application to exit, her case has been delayed and obfuscated for an inordinate number of years. Diana is now a young woman. When her application was first filed, she was a four-year-old child.

Ectarina and Decebal Dimitrescu and their children have been seeking to emigrate to Canada to join Ectarina's sister and brother-in-law, Eufrosina and Ioan Marcu, since 1979. Since their application to emigrate, they have been subjected to various forms of harassment: they were given different answers each time they interviewed as a part of their application, their mail was withheld and their telephone calls were made as difficult as possible. Ectarina was fired from her job on November 1, 1980—eleven days before the opening of the Madrid Helsinki Conference. After having taught as a professor for 23 years, she was declared incapable of teaching because she had made a request to emigrate. Decebal and his son, both engineers, are frequently transferred from one city to another, with no explanation. These are only a couple of examples of the type of harassment that constantly goes on in Romania toward emigration applicants.

I would like to cite a passage from some correspondence I recently received from Eufrosina Marcu, whom the Dimitrescus wish to join:

"The Romanian people are first-rate martyrs, some of them are content to lead a day-to-day existence, without dreams and without ideals, happy when they are able to obtain a bottle of milk or yoghourt for the children, or a pound of meat, regardless of the price.

"Others (through hope, or through despair) try to resist all these decisions dictated and it is then that misfortunes begin to rain down on them and their families.

"Romanian citizens have no way of being able to express their discontent in their own country with the system of Government which is imposed on them, and to declare with their heads high that they have had enough of servitude and want to be free in their native land.

"This is why some more courageous ones leave for the free world never to return, once they manage to obtain possession of a passport, thus winning some justice for themselves and forgetting for a few moments the despair they have left behind them, for the more courageous ones, a new life begins, with all its achievements and even its failures, but a life that is at last normal.

"The Romanian Government, in fact, has turned my family into hostages in their own country, as their only way of taking spiteful revenge against those of us who have chosen to live in freedom."

It is for the sake of people like those mentioned above—who pursue freedom above all else—that I share with the committee my deepfelt concern about the prolonged application procedures and the harsh and frequent harassment they face. The standards of both section 402 and the final act of the Helsinki Act must be observed.

In addition to my reserved support of extension of MFN trade status to Romania, I support its extension to Hungary and China. Although the number of emigrants leaving Hungary has declined in recent years, this is largely due to the country's high standard of living and relaxed touring policies. While emigration practices from the People's Republic of China have been tight, restrictive immigration policies in Hong Kong and the United States have precipitated that.

With my support of extension to the three countries in question, I wish to emphasize my sincere concern about the emigration practices of Romania. We cannot close our eyes to the confinement of those Romanians seeking the kind of freedom that we as Americans have come to take for granted.

Mr. ABBE. Senator Dole, I just wanted to thank you personally for the help you and your staff have given to the numerous cases that I have forwarded to you.

Thank you very much.

Senator DOLE. I mentioned some of those cases in my statement. I am certain they will be followed up on.

[The prepared statements of the preceding panel follow:]

SUMMARY OF STATEMENT BY JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY, BEFORE THE INTERNATIONAL TRADE SUBCOMMITTEE OF THE SENATE FINANCE COMMITTEE, MONDAY, JULY 27, 1981.

Recommendation to Administration from Senate Finance Committee Report, 1979: ". . . to initiate discussions with Romania intended to lead to more specific assurances regarding emigration such as those which preceded the granting of MFN to Hungary. . . The Committee understands the difficulty of such an undertaking but nonetheless believes a renewed, more aggressive effort must be made"!

RECOMMENDATIONS FOR ROMANIAN JEWISH EMIGRATION AND MFN

A - Initiate a "renewed, aggressive effort" to negotiate with Romania, leading to

1) Reversion to pre-MFN Jewish emigration of 3-4,000 annually.

If the annual general Romanian emigration to West Germany (c. 11,000) and to the U.S. (c. 3,000) has now been significantly raised, we should expect a similar arrangement for Jewish emigration to Israel, corresponding, at least in part, to the sizeable emigration potential indicated by our reports.

2) Humanization of the emigration process.

a. simplified procedures.
b. no harassment of applicants.
c. accelerated reunion of families and affianced couples.

For the "renewed negotiation" with Bucharest, the focus cannot solely be #2. Without a reasonable ballpark range of 250 - 350 a month for Jewish emigration, the Romanians will not have sufficient incentive to humanize the process.

B - FUTURE RENEWAL OF MFN SHOULD REQUIRE *SOLID* EVIDENCE OF MOVEMENT IN KEY EMIGRATION AREAS. Contrary to Section 402 of the 1974 Trade Act -- supposedly the focus of the hearing -- the U.S. has never really requested formal assurances from Romania, as in the case of Hungary.

CURRENT SITUATION

A - Romanian Jewish emigration, January - June 1981 -- only 329.

This is the lowest in the past decade, except 1979, with a monthly average of 56. It is a remarkable reduction from the 250 - 350 monthly range before 1975 when Romania obtained MFN.

B - The number of Romanian Jews

The authorative U.S. Government *World Factbook*, 1981, a digest of U.S. intelligence information, estimates 60,000, the same figure mentioned by a Romanian U.N. spokesman and document in 1979. The *Encyclopedia Judaica* of 1979 gives 70,000.

The official Romanian Jewish Community compilation of close to 35,000 tends to be weighted with those who need help, certainly a preponderance of older persons. Many Jews are simply not affiliated. The analysis immediately below (C) suggests that Romanian census figures, self-contradictory as they are, must be considered gross underestimates.

C - What the Jewish Community lists of would-be emigrants reveal
By comparing these lists with those of arrivals in Israel and with the lists of "approvals" issued in Bucharest, it emerges that the Jewish Community lists comprise only some 35 - 40% of current applicants. Hence, something in the region of 2,000 Jews may be currently applying to leave, despite the fear of a brutal regime.

D - The so-called Romanian-U.S. Jewish "understanding" of July 1979 that "application forms will be readily available and will be processed expeditiously" was a diversionary maneuver by the Romanians and has not been implemented in its most critical portion.

E - Obstacles to emigration increased after 1975, after the granting of MFN and after the Helsinki Final Act. They include --
1) superfluous pre-application procedures at the police station
2) occasional refusal to issue the absurd pre-application form
3) negative social and economic pressures at places of work, residence and education
4) job loss or demotion
5) military conscription threats
6) arbitrary decisions, no explanation for refusals

The cumulative effect is a CLIMATE OF FEAR, EFFECTIVELY INTIMIDATING MANY THOUSANDS FROM APPLYING.

ADDENDA

1 - Religious difficulties do not compare with the USSR, but several cases were reported this year.

2 - Anti-Jewish publications: After the protest engendered by the appearance of several such publications, President Ceasescu publicly condemned anti-semitism. Nevertheless, many Romanian Jews are disturbed.

3 - Amnesty for former prisoners: The 1980 breakthrough is not complete, as some, such as Scheener and Khinsbrunner, continue to have emigration difficulties. Others as Rubinger and Feiden of the Savrom Wood Factory trial remain penalized since 1954!

4 - Five long-waiting cases analyzed: Fundulea, Leizerovici, Istrate, Ratescu, Chicu.

5 - Analysis of recent letters about would-be emigrants shows similar patterns to previous years, with emphasis on work trouble, consistent unexplained refusals, various forms of intimidation, occasional military conscription. Examples --
   a. "Following his application to emigrate in January 1978, Dr. X was fired from his job and transfered to many other positions where he could not practice his specialty. . . He has suffered all kinds of pressures and frustrations. For three years, he and his wife had to work 400 miles apart. . . Eventually, he was drafted into the army even though he is in his 30s."
   b. "I am separated from my mother for six years. Until now I have submitted 12 requests, but was not even called to the commission".
   c. "My husband in Romania was pressed to divorce me and told that he will never leave."
   d. "He has been demoted from his position as senior researcher to that of clerk. I fear that he may have to wait as long as I did -- three years."

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY, BEFORE THE INTERNATIONAL TRADE SUBCOMMITTEE OF THE SENATE FINANCE COMMITTEE, MONDAY JULY 27, 1981.

This is the seventh year that the Congressional Trade Committees are considering the extension of the waiver of the "freedom of emigration" section (402), incorporated in the 1974 Trade Act.

The legislation was based on the understanding that formal assurances of compliance would be received from the non-market country under consideration. 402 itself was a considerable political compromise on the principle of free emigration. The manner of its interpretation since 1975 in the case of Romania attenuates it still further, since the Administration has never insisted on the required assurances, as it did in the case of Hungary, but urged Congress to accept "performance" (after the hearings) as the guideline.

After several years of maneuvering by the Romanians, Washington became insistent enough and in the fall of 1979, Romanian immigrants began arriving in the U.S. at the rate of well over 200 a month, though reports of intimidation and harassment scarcely diminished. In the case of a totalitarian country like Romania, an emigration rise to the U.S. to nearly 3,000 a year (2,866 in 1980) is no accident, and reflects a political decision to please Washington.

Again, take the flow of approximately 11,000 Romanian Germans to West Germany. This resulted from a meeting between Ceausescu and Schmidt in January 1978.

By contrast, the decline in Romanian Jewish emigration has been startling during the last six years. As the general flow to the U.S. increased, that to Israel diminished correspondingly, despite the fact that Israel has a far larger family reunion base than the U.S.

From over 4,000 yearly during 1973 and 1974 immediately before Romania received MFN, the flow to Israel dropped precipitously to barely 1,000 in the latter 1970s. Equally ignoring the Helsinki Final Act, also of 1975, the Romanians instituted more complex procedures and increased intimidation. It is obvious that the so-called "understanding" of July 1979, entered into between Romanian Minister Bogdan and two U.S. Jewish communal personalities, that "application forms will be readily available and will be processed expeditiously" has not been implemented in its most critical portion. Clearly, it was a last minute maneuver by the Romanians, after Chairman Vanik informed them during the 1979 hearings that their Congressional situation was extremely shaky, as a result of our campaign.

With the advent of the Reagan Administration and the change in the Senate, we hoped that the Romanians would bring their Jewish emigration in line with the outflow to West Germany and the U.S. They decided, however, to try and continue the tactics which they so successfully pursued in the past -- pretend that Romanian Jews were too few and too old to care about leaving, so "how can there be a problem?"

Accordingly, THE FIRST FIVE MONTHS OF 1981 SAW THE LOWEST JEWISH EMIGRATION TOTALS OF THE PAST DECADE, EXCEPT 1979 --

ONLY 282, WHICH CONSTITUTES A MONTHLY AVERAGE OF 56. THIS 56 IS IN DRAMATIC CONTRAST TO THE 250 - 350 A MONTH ALLOWED OUT DURING THE FIRST PART OF THE 1970s.

The number of Romanian Jews: Only a few years ago, everybody, including the Romanians, took it for granted that the number of Romanian Jews was in the range of 80 - 100,000, similar in size to the neighboring Hungarian Jewish community from whom we do not hear complaints. Then, during the latter 1970s, the figures used by Romanian spokesmen dropped sharply, year by year, until it reached the absurdly low number of 25,000. Yet many in Washington allowed themselves to accept almost any assurance or "fact" peddled by the Romanians as a rationalization for the axing of Jewish emigration. It should be noted, however, that in 1979 a Romanian U.N. spokesman casually mentioned a figure of 60,000 in a newspaper interview (*Jewish Week*, May 6, '79), the same estimate given by the authorative U.S. government compendium *World Factbook*, a comprehensive digest of all U.S. intelligence sources. The *Encyclopedia Judaica* of 1979 speaks of 70,000.

The official Jewish Community offices came up with 35,000. It must be understood however that those affiliated with the Community tend to be those needing help -- a preponderance of older people -- and that many others are not affiliated at all.

What Jewish Community Lists of Would-be Emigrants Reveal

A comparison of these lists with those of arrivals in Israel and with the lists of "approvals" issued in Bucharest reveals that the Community lists comprise only some 35% of the totals. Hence, something in the region of 2,000 may be currently planning to leave. Not included in that figure would be those turned away from the place of application -- the police station -- nor the many thousands who fear the consequences of applying to leave. The difficulties listed in my previous testimonies continue.

Obstacles to Emigration

These grew after 1975, after the granting of MFN to Romania, after the Helsinki Final Act, and include

1 - superfluous pre-application procedures at the police station.
2 - occasional refusal to issue the absurd pre-application form.
3 - negative social and economic pressures, at places of work, residence and education.
4 - job loss and demotion.
5 - conscription threats.
6 - arbitrary decisions, no explanation for refusals.

The cumulative result is a CLIMATE OF FEAR, effectively intimidating many thousands from applying.

Our experience indicates, however, that even with a moderate modification of procedures and curbing of harassment, REVERSION TO THE PRE-MFN EMIGRATION FIGURES OF 3 - 4,000 ANNUALLY IS LIKELY. In the words of a recent visitor: "I did not find a younger Romanian Jew who did not ultimately plan to leave".

Press for Reasonable Jewish Emigration Numbers

Our rather intensive Washington campaign, directed to Secretary of State Haig, the National Security Council, Senate Finance Committee chairman Dole, Senate Foreign Relations chairman Percy, Congressional Trade Committees chairmen Danforth and Gibbons, and Helsinki Commission chairman Fascell, has resulted in assurances to me that strenuous representations have been made to the Romanians, particularly to Romanian Foreign Minister Stefan Andrei on his Washington visit of May 15th.

A first result has been a sudden rise in the number of passports issued in May, 105, compared with the unbelievable low of 28 in April. This may be maintained in the coming months, and with luck we may reach the 1,000 mark again. AS THIS FIGURE DOES NOT AT ALL CORRESPOND TO THE EMIGRATION POTENTIAL OF ROMANIAN JEWRY, IT IS UNACCEPTABLE.

Unfortunately, the above-mentioned interventions appear to have focused on the question of procedural complexities to the exclusion of the numbers potential, with a view to solving the larger problem within the decade.

IT IS REASONABLE TO ASSUME THAT IF THE MIGRATION OF NATIVE ROMANIANS TO WEST GERMANY (c. 11,000) AND TO THE U.S. (c. 3,000) HAS BEEN MORE OR LESS REGULARIZED, THE SAME CAN BE DONE IN TERMS OF THE ANNUAL POTENTIAL FOR ROMANIAN JEWISH EMIGRATION FOR ISRAEL. THIS POTENTIAL IS NOT LESS THAN 3 - 4,000 YEARLY AND PROBABLY MORE.

Unless, however, the Romanians sense that this is the ballpark range we are interested in, we will be doomed to scramble every year to rescue a pitifully small number of people, instead of taking the necessary steps NOW to solve the problem once and for all.

After six or seven years of vague promises, the above mentioned guidelines are essential as the necessary GOAD to the Romanians indicating the desired levels of emigration and would, incidentally, do more to diminish procedural complexities and harassments than all the earnest but not sufficiently concrete interventions by Administration and Congressional personalities.

As mentioned earlier, we had hoped, in vain, that this time the Romanians could be persuaded without massive Congressional action and Resolutions of Disapproval. Consequently, we will commence a much more widely-based effort in the fall. We really want good U.S.-Romanian political and economic relations and we do not believe for one moment that if a short interruption of MFN status becomes necessary it will result in more than cosmetic damage to the relationship. This could easily be avoided by the Romanians doing for Jewish migration to Israel what they did for general Romanian migration to the U.S. in 1979, adding a couple of thousand more persons to the outflow.

May we suggest that this Trade Committee urge the Administration to take note of a 1979 recommendation by the Senate

Finance Committee "to initiate discussions with Romania intended to lead to specific assurances regarding emigration, such as those which preceded the granting of MFN to Hungary. . . . The Committee understands the difficulty of such an undertaking but nevertheless believes a renewed, more aggressive effort must be made".

ADDENDA

Religious Difficulties

While these are undoubtedly less severe than in the USSR, several incidents reported to me this year, particularly involving new synagogue attendances by a very young man and a very old man, suggest room for improvement.

Anti-Jewish Publications

Several have appeared during the past year. After considerable protest, President Ceausescu publicly condemned anti-semitism. These publications do not necessarily point to a major deterioration in the already endemic primitive anti-semitism of the area, but viewed in the framework of the rapidly accelerating and increasingly virulent official anti-Jewish publications and official discrimination now practiced in neighboring USSR and the recently renewed attempt among some elements in Poland to blame a non-existent Jewish community for Polish troubles ("anti-semitism without Jews"), have produced considerable unease among Romanian Jews. Slanderous poison in contagious among human beings.

The following publications have come to my notice:

1 - an anti-Jewish article in the Bucharest weekly *Septemana* (The Week), September 1980.
2 - the Academy of Socialist Republic of Romania published in the fall of 1980 the ninth volume of the famous Romanian writer Mihail Emenescu, a volume loaded with anti-Jewish rhetoric.
3 - a pamphlet suggesting a world Jewish conspiracy has recently been circulating in Bucharest.

Amnesty for Former Prisoners

In the summer of 1980, as a result of a final angry intervention by Senate Trade Committee chairman Ribicoff, the Romanians suddenly agreed, just before the hearings, to lift almost two decades of regime penalties from a major group of former prisoners, thus giving them the option to emigrate. Unfortunately, some of them such as Ottilia Scheener and Angelo Khinsbrunner are still experiencing difficulties a year later, and the status of several others such as Benjamin Schwartz is still unclear.

Also, other former prisoners still remain penalized such as Herman Rubinger and Samuil Feiden of the Savrom Wood Factory trial as long ago as 1954!

Some Other Hard Cases

Eugene Fundulea of Buzau, waiting since 1976. His father remarried in 1963 and Eugene wants to join his mother, Toni Schwartz, now a U.S. citizen living in San Diego. His father refuses "the boy", now 23, permission, though he left his house five years ago.

Herman Leizerovici of Botosani is a young man who first tried to register in 1977 to join his only living close relative, his sister, Ariana Vigder, in Israel. Last year, he became so depressed by the authorities' continuous refusal to register him for initial application that he was hospitalized.

The Istrate family of Bucharest has been waiting since 1974. They were finally given permission in 1979. In his letters to members of Congress in 1980, the Romanian ambassador insisted that the Istrates "renounced" their desire to leave. The Instrates and their parents in Israel vehemently deny this continuously.

Waiting many years, the Ratescu family of Bucharest were finally informed in 1977 that their passports were ready. After winding up their affairs -- the Romanian authorities make this very complicated and expensive -- they were told it was all a mistake and they should forget about leaving.

Although the Chicu family of Bucharest has been reported "approved" for departure, we still have no word of their emigration. Their case is an example of the Romanian style. They received 11 negative answers with no reasons given, except at one point an official hinted that their parents objected. This the Chicus deny. We have here an indication of the kind of pressures to which parents may be subjected.

Analysis of recent letters about would-be emigrants shows similar patterns to previous years, with emphasis on work trouble, constant unexplained refusals, various forms of intimidation, occasional military conscription. Examples --

a. "Following his application to emigrate in January 1978, Dr. X was fired from his job and transferred to many other positions where he could not practice his specialty. . . He has suffered all kinds of pressures and frustrations. For three years, he and his wife had to work 400 miles apart. . . Eventually, he was drafted into the army even though he is in his 30s."

b. "I am separated from my mother for six years. Until now I have submitted 12 requests, but was not even called to the commission."

c. "My husband in Romania was pressed to divorce me and told that he will never leave."

d. "He has been demoted from his position as senior researcher to that of clerk. I fear that he may have to wait as long as I did -- three years."

e. "Not only was his application to leave refused, but he also lost his job. He has not been allowed to work since. He is continually subjected to pressures by the police, and the process has increased lately."

[From the Wall Street Journal, Sept. 8, 1981]

DILEMMA FOR BUCHAREST—ROMANIA ACTS TO KEEP PEOPLE FROM EMIGRATING, BUT IT HAS A STAKE IN APPEARING LIBERAL ON ISSUE

(By Frederick Kempe)

BUCHAREST, ROMANIA. Leonte Rautu is a Communist's Communist.

From his days in exile in Moscow as a member of Romania's illegal Communist Party during World War II right up until this August, when he had served more than 30 years on Romania's highest governing body, the Political Executive Committee, his life had been devoted to the cause.

At the age of 73, Mr. Rautu might indeed have expected to retire as a Communist hero. Instead, he was ousted in disgrace last month for failings as a Communist father: He had been unable to dissuade his daughter from joining the growing ranks of disaffected Romanians seeking to leave the country for good.

Thus, Comrade Rautu's last service to the cause was to serve as Exhibit A in a government campaign to halt the rising tide—some call it a flood—of emigration requests pouring in on Western embassies in Bucharest.

Says a West European diplomat here: "They could have quietly pensioned Rautu and no one would have asked why. But instead the old man was picked out as an example to the nation."

AN IMPLIED THREAT

The implied threat is that other Romanians, especially those in party positions, could face punishment should their offspring or another close relative apply to leave Romania, the country with the lowest living standards and strictest internal controls of any in Eastern Europe, including the Soviet Union.

The reasons for the new emigration surge are varied: to escape from Romania's steadily deteriorating economic conditions; a search for greater professional opportunities or more freedom of artistic expression; a desire for freedom to practice an inherited religion. Whatever the reason, the Romanian government doesn't want to countenance it.

Romania, President Nicolae Ceausescu has said, "must take an intransigent attitude" toward "the worthless traitors, those who desert their country."

"We must do everything possible," he went on, "so that the entire people, especially the youth, understand that they can find a better life not by looking elsewhere for a few silver coins more, but by working and struggling to overcome difficulties in their homeland."

A FIRST IN CANDOR

Never has a Communist leader so openly admitted that his nation had a problem of too many people wanting to leave, and never has a Communist country waged so public a war against would-be emigres.

Romania must, however, settle for this sort of propaganda assault. It cannot economically or politically afford to slam the emigration gate shut.

That's because it must, theoretically at least, permit emigration to the U.S. if it is to continue to enjoy the most-favored-nation status it won from the U.S. in 1975. And Romania realizes that this status has allowed trade between the two countries to nearly quadruple to an expected $1.2 billion this year.

Similarly, Mr. Ceausescu allows many thousands of ethnic Germans to emigrate to West Germany each year, in large degree because West Germany is Romania's most important Western trading partner and supplier of advanced equipment and machinery.

Still another reason for allowing some continued emigration is Romania's search for world approval. It hopes to host the next East-West conference on progress under the Helsinki Pact, and it knows that too rough a clampdown on emigration will reduce its chances of doing that.

THOUSANDS GO TO GERMANY

All these factors help explain why the number of Romanians granted permission to leave the country significantly increased in 1980. Some 16,000 ethnic Germans left for West Germany, compared with 11,000 in 1979. More than 2,800 Romanians emigrated to the United States, almost double the 1979 level and seven times the number before the most-favored-nation agreement. Another 1,061 were given permission to emigrate to Israel, 100 more than the year before, Due to steady emigration over the years, the Jewish population in Romania has declined from more than

400,000 right after World War II to 35,000 now, and Romanians have become one of the largest ethnic groups in Israel.

"The Romanians have performed quite well as regards emigration," concedes one Western observer. In fact, U.S. government officials are reported to be considering asking Congress to make Romania's most-favored-nation status, which currently must be renewed each year, a more permanent one, with reviews every three or four years.

The number of those allowed to emigrate tells only one part of the story. It doesn't tell the number of those who want to leave but haven't been able to, and that number has been steadily swelling to what one Romanian official concedes to be "abnormal proportions." Moreover, treatment of those who apply to emigrate appears to be growing worse week by week, part of the anti-emigration campaign that has been intensifying all summer.

BACKLOG GROWS

The backlog of ethnic Germans awaiting permission to leave the country is now estimated at 60,000 to 70,000. The United States embassy says it knows of more than 5,000 Romanians who would like to move to America, and it is believed that virtually all of the 35,000 Jews still in Romania want to leave. Between 250 and 500 Romanians wanting to emigrate line up each day at the West German consulate, and the U.S. consulate registers 250 to 400 new applications each week.

Says the Western diplomat quoted earlier, "The greatest disease in Romania today is the mad desire to get out."

Applicants may have to wait anywhere from three months to years before they can actually leave. Diplomatic specialists estimate that more than 75 percent of the applicants will sooner or later either lose their jobs or significant amounts of pay as punishment. Since the public campaign against emigration has picked up steam, there has been increased harassment of would-be emigrants at the workplace, and threats of reprisals against family members are being reported.

If a Romanian citizen is eventually permitted to leave, he must turn his home and property over to the state. If he has spent less than two years in his profession, he must repay the state for what it spent educating him.

"A MATTER OF PRINCIPLE"

"We try to discourage immigration as a matter of principle," the foreign-ministry officials says. "We can't solve Romania's problems by moving Romanians out. As a member of the World Bank once said, development requires a sort of military discipline, sacrifice and unity of command."

A random sample of those who, nonetheless, are trying to leave for the U.S., and why:

Gabriel Neagu, 35, is a linguist and was an assistant lecturer at the University of Bucharest until he applied to emigrate more than two years ago. Within weeks, he received a letter of dismissal from the university saying he was "no longer ideologically fit to teach students."

Last November, the local police threatened that if he didn't find another job, he would be arrested for "living a parasitic life." All he was offered was a position as an unskilled laborer in an aluminum factory, where he makes earthen molds and files the rough edges off finished products. "I make them pleasant to the touch," he says bitterly.

Mr. Neagu, an articulate and witty raconteur with a daunting command of English, has been offered a position as lecturer at New York University. "I resent being considered a traitor," he says. "I merely want to improve myself. I want my doctorate in linguistics."

Daniel Constantinescu, 47, is a senior consultant at a cardiology clinic in Bucharest. He also is a member of a long-established fundamentalist religion in Romania called "Christians According to the Gospel." Says Dr. Constantinescu, "I don't want my children to be raised in a godless country."

Three years ago, Dr. Constantinescu worked for three months in South Africa with Dr. Marcius Barnard, the brother of the famous Christiaan Barnard. Dr. Marcius Barnard and other physicians have appealed to U.S. Congressmen to support Dr. Constantinescu's emigration request. Meanwhile, however, he has been stripped of his title as chief of cardiology and has been moved to other areas of the clinic where he has no expertise.

Mihaela Farcas, Dr. Constantinescu's sister, and her husband are members of the same fundamentalist religion. She has been fired from her post as schoolteacher. Her husband, Viorel, is a sculptor whose best works haven't found buyers. "The only possible purchaser of the art is the state," says Mrs. Farcas, "and it only wants works that enhance political awareness."

Nieu Trifu, 27, is an architect and an artist, regarded by his colleagues as a man of extraordinary talent. After he applied to emigrate, his architect's pay was reduced by 20 percent, and he was dispatched to a construction site for a month of "volunteer labor." The Communist youth association, to which most young Romanians belong, branded him as a "cow with dollars." Says Mr. Trifu: "I don't want to throw mud on my country. Romania should be proud I want to improve myself. Instead, it calls me a traitor."

All who apply to emigrate dread the arrival of yet another blue envelope—the Ministry of Interior rejection slip that means that the excruciating application process must be started all over again. Mr. Neagu has received eight, Mr. Constantinescu and his sister together have received 15, and Mr. Trifu has just received his third.

Mr. Neagu has written 160 letters of appeal to government officials and sent 20 telegrams directly to President Ceausescu. "They have destroyed my career and stopped me halfway to the United States," he says. "I don't know what to do."

SUMMARY OF STATEMENT BY CYRUS GILBERT ABBE

After visiting Rumania and conferring with numerous Rumanian Jews about the obstacles placed in the way of their emigration by the Rumanian government I have reached the following conclusions:

I. The Rumanian authorities are preventing Jews from emigrating.

A. Tens of thousands of Rumanian Jews want to be reunited with their families in Israel.

B. The number of Rumanian Jews allowed to emigrate each year has declined over 80 percent from about 4,000 each year in 1973 and 1974 to about 700 this year if the current monthly rate continues.

C. The application procedure for an exit visa is tortuous, and those who are fortunate to receive visas often wait years before obtaining them.

D. Potential applicants are afraid to apply because of the long and burdensome procedure and the persecution while waiting for a visa.

E. The Rumanian government has failed to honor the commitment it made to the American Jewish community in 1979 at the time of these hearings that any person who wanted to emigrate would be free to do so, that applications for exit visas would be readily available and that these applications would be processed expeditiously.

F. The applicants are aware of America's concern as reflected in the Helsinki Agreement and the trade legislation and beg your assistance.

G. I have provided the Subcommittee with a list of some Rumanian Jews waiting to emigrate who have contacted me asking for assistance by the American government.

II. Congress should deny the waiver of the freedom of emigration requirements with respect to Rumania and should deny Rumania most-favored-nation trade privileges until *concrete* evidence is provided by the Rumanian government that (1) it will increase the number of Jews who are allowed to emigrate to a total of at least 4,000 a year, which is approximately the total that was permitted to emigrate before Rumania obtained most-favored-nation trade privileges, and (2) the application procedure has been changed completely.

Based upon my visits to the Jewish Community in Rumania, extensive discussions with Rumanian Jews who have, after great difficulties, been allowed to emigrate from Rumania, and substantial correspondence with Jews in Rumania and their relatives all over the world, I have the following conclusions:

(1) Tens of thousands of Jews would like to emigrate to Israel.

(2) Although about 4,000 Jews left for Israel each year in 1973 and 1974, only about 1,000 Jews were allowed to leave for Israel in 1980. If the current rate of emigration for 1981 continues, only about 700 Jews will leave for Israel this year. Thus there has been a decline from about 4,000 each year in 1973 and 1974 to about 700 in 1981, a decline of over 80 percent.

(3) The procedure to apply for an exit visa is extremely difficult and tortuous. The request for a visa is sometimes denied or it takes years before approval is granted. The applicant is frequently subject to harassment and persecution during this long period without any assurance that he will ever receive the visa, and therefore many Jews are too frightened to apply.

(4) The Rumania government has failed to honor the commitment it made to the American Jewish community in 1979 at the time of these hearings that any person who wanted to emigrate would be free to do so, that applications for exit visas

would be readily available and that these applications would be processed *expeditiously*.

(5) An extension of the waiver at this time after the enormous decline in the number of Jews allowed to leave for Israel in recent years and in the face of difficulties placed in the path of applicants for exit visas would be contrary to America's humanitarian policy as expressed in Section 402 of the 1974 Trade Act which we are considering today and, of course, the letter and spirit of the Helsinki Accord.

I am an attorney by profession, but I have been active in Jewish affairs for many years and have worked as a volunteer to help Jews who seek to emigrate from Rumania. During my trips to Rumania numerous Jews who had applied for an exit visa told me how they were followed, how their phones were tapped, how they had been fired from their jobs, etc. Many of those who had not applied told me they wanted desperately to leave but knew that if they applied they may immediately be fired and might have to wait years to receive an exit visa, should it ever be granted, without any source of income to support them and their children. They advised me that the census figures for the number of Jews in Rumania was erroneous because many Jews were afraid to tell the census taker they were Jewish and some census takers discouraged Jews from calling themselves Jewish. Jews have even been afraid and unwilling to register with the Jewish Federation in Rumania so the total number of Jews registered with the Jewish Federation is only a portion of the total Jewish population in Rumania. On the basis of numerous conversations with Rumanian Jews I would estimate there are now about 70,000 Jews living in Rumania. As mentioned above whereas approximately 4,000 Jews a year were permitted to emigrate to Israel in 1973 and 1974, it appears from the current monthly emigration figures that only 700 Jews or less than 20% of the prior number will be allowed to go to Israel this year. Some of the older Jews in Rumania receive support, care and aid from the Joint Distribution Committee supported by the United Jewish Appeal and feel too old to emigrate, but the overwhelming proportion of the younger Jews and some of the older ones are eager to move to Israel and be reunited with their families there. Although synagogues may exist in Rumania, everyone is required to work on Saturday so that the only Jews able to attend Sabbath morning services are those who are retired. Although kosher food and other religious observances may be maintanined, this limited form of Jewish life does not compare with the full Jewish existence available in Israel, and the Rumanian Jews long to join their families in Israel. There are now about 300,000 Rumanian Jews living in Israel, most having left Rumania just after the end of World War II, so those left in Rumania frequently have almost their entire family in Israel.

Although most of the estimated 70,000 Jews in Rumania want to emigrate, a complex and tortuous application procedure for an exit visa has been instituted by the Rumanian government not only to delay seriously and unnecessarily the length of time an applicant must wait for an exit visa but also to intimidate, frighten and discourage Jews from asking for exit visas. Whereas previously a person wishing to emigrate completed a large application form and then could wait months or years for a response, several years ago the Rumanian government instituted a new procedure whereby the applicant must first complete a brief preliminary request form. Only if this is approved does he receive the large application form. (Jews in Bucharest suspect the reason for the change was so that when a member of Congress would ask about an individual seeking to emigrate, the Rumanian Ambassador could say he hadn't even applied to leave when in reality the government had rejected his preliminary request and refused to give him an application form.) After the applicant submits the preliminary request a delay of several months normally follows and then he is summoned to a meeting at the local People's Council in the area where he works. There he is frequently humiliated and advised to withdraw his request. If he refuses, he is often threatened and told orally that he will not be permitted to leave. After several more months of waiting he will usually receive a formal written rejection of his request. He then begins to submit complaints with the hope that the decision will be reversed. It may never be reversed, or sometimes after a short or long period of waiting his complaint is recognized and he is given the application form. After he completes and submits the application form he continues to wait with no assurance of approval. In spite of criticism by Congressmen of this intimidating application procedure, the Rumanian government instead of easing the procedure decided to make it even worse. Sometimes before the applicant can even receive the preliminary request form he must first place his name on a list. Then at a later time he may be summoned to a meeting with the authorities who can determine if he should be given the preliminary request form. Imagine now a procedure where (1) an applicant places his name on a list, waits and then appears before the authorities to ask for a preliminary request form, then (2) if, after waiting for a response, he is one of those who is given the preliminary request form, he will have to wait again after he has submitted it and then appear before the People's Council to determine if he should be given the application form, then (3) if, after waiting for a response, he is one of those who is given the application form, he will after submitting the application form have to wait once again for the government's response, then (4) if his application form is approved he will have to obtain and submit to the government dozens of documents regarding his home, his job, etc., then (5) if those documents are all in order his exit visa will finally be granted. At all of these steps applicants are rejected, but since an applicant has already announced his desire to emigrate from the beginning of this tortuous proceeding he is frequently subjected during this long period of time to harassment and persecution such as being followed, having his phone tapped and being fired from his job so that he is obliged to remain in Rumania but has no source of income. Is there any doubt in the face of this procedure that the Rumanian government has decided to violate the terms of the Helsinki Accord and the provisions of the Jackson-Vanik amendment and to disregard the repeated requests of Congressmen for an easing of the Rumanian application procedure? Can anyone doubt that this procedure and the accompanying persecution make many Jews who want to leave too frightened to take the first step and put their names on the list for the exit visa?

As examples of the refusal of the Rumanian government to grant exit visas and the harassment of applicants please consider the situation of (a) Erika Berger, who has been prevented from joining her husband in Israel, and Schiopu Arestianu Teodor Bogdan, who has been prevented from joining his wife in Israel and was advised he should divorce his wife because he will never be allowed to leave Rumania, (b) Gabriel Neagu and Iosif Langszner, who were fired from their jobs after requesting exit visas, (c) Sergiu and Ruxandra Ratescu who, after requesting permission to go to Israel since 1970, were finally told in 1977 that their passports were ready, but after completing their preparations to emigrate and leaving their jobs were told it was all a mistake and they could not emigrate, and (d) Herman Rubinger and Shmiel Feiden, who were convicted in anti-semitic trials held over 20 years ago, served many years in prison, are still required each year to pay fines to the government and are prevented from emigrating to Israel.

In 1979 at the time of these hearings the Rumanian government assured and agreed with the American Jewish community that (a) any person who wanted to emigrate would be free to do so, (b) that applications for exit visas would be readily available and (c) that these applications would be processed expeditiously. Unfortunately, however, the Rumanian government has failed to honor these three commitments, and many Jews who have registered with the Jewish Federation and requested exit visas more than a year ago have not even received the application form and are still in Rumania.

I am proud as an American of our government's concern for human rights around the world, for free emigration, for reunification of families. But how shallow our words must appear when year after year despite the constant expression of concern by this Committee and other Congressmen the Rumanian government decreases the number of Jews allowed to join their families in Israel and continues an application procedure which is tortuous and intimidating. With emigration of Rumanian Jews to Israel down by over 80 percent and the application procedure a terrifying example of Rumania's disregard for the principle of free emigration it is time to deny the waiver of the freedom of emigration requirements with respect to Rumania. It is time to deny most-favored-nation trade privileges to Rumania until *concrete* evidence is provided by the Rumanian government that (1) it will increase the number of Jews who are allowed to emigrate to a total of at least 4,000 a year, which is approximately the total that was permitted to emigrate before Rumania obtained most-favored-nation trade privileges, and (2) the application procedure has been changed completely. Rumania's strong desire for trade with America will encourage her to change her emigration policies quickly, and the Jackson-Vanik Amendment will have effectively assisted numerous individuals to live free from persecution and to be reunited with their families.

STATEMENT OF NINA H. SHEA
on
DENIALS OF THE RIGHT TO EMIGRATE FROM ROMANIA

before the

SUBCOMMITTEE ON INTERNATIONAL TRADE
COMMITTEE ON FINANCE
UNITED STATES SENATE

July 27, 1981

Mr. Chairman, I want to thank you for inviting me to appear before this Subcommittee today. I am submitting this testimony on behalf of the International League for Human Rights.* The League is a nongovernmental organization with consultative status with the United Nations and other international organizations and has worked for 39 years to promote the human rights of all peoples in accordance with international law.

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* The International League for Human Rights is a nongovernmental international human rights organization, founded in 1942. The League conducts investigations of human rights abuses, sends fact-finding missions to other nations, observes political trials, marshals public opinion to protest abuses, and monitors human rights events at the U.N. The League has 40 affiliates around the world who cooperate with it in safeguarding human rights. The League also has organized the Lawyers Committee for International Human Rights, which takes assignments in the international human rights field. The League offices are at 236 East 46th Street, New York, New York.

I gratefully acknowledge the assistance of Diane Archer and Erica Zolberg, Research Assistants for Eastern Europe at the International League for Human Rights, in the preparation of this report.

HISTORY OF LEAGUE CONCERN

Since the signing of the Helsinki Final Act by 35 nations in August 1975, the International League has closely monitored the implementation of the family reunification provisions of the document. Although one provision of the agreement requires participating nations to "deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family," applications of persons applying to emigrate from a number of Eastern European nations continue to be rejected. Consequently, a major component of the League's casework program in 1979 , 1980 and this year involved requests for assistance on family reunification problems.

The League receives its cases from a variety of sources: the applicant may write directly to the League, or, fearing possible reprisals, the applicant may ask family or friends in another country to provide the details of the case. The League does not solicit cases or publicize its work in this area. Moreover, it should be emphasized that by seeking the assistance of groups outside the country, Romanian citizens may be taking risks. The combination of these factors leads us to conclude that the cases received by the League represent only a fraction of the total number of individuals who have been denied permission to leave.

In the past five years, the International League has intervened on behalf of some 500 individuals or families who have requested assistance in obtaining permission to leave a country and to be reunited with family members elsewhere. The majority of these cases have been requests for assistance from individuals or families in the German Democratic Republic and Romania. In intervening on these cases, the League has received assistance from the Governments of Canada, the Federal Republic of Germany, Israel and the United States. The League has also worked closely on these matters with its affiliate organization, the Gesellschaft Fuer Menschenrechte in the Federal Republic of Germany.

The International League has prepared reports on these cases for the Helsinki Review Conference which opened in Madrid in November 1980 and to the United Nations Commission on Human Rights in 1980 and 1981.

THE RIGHT TO LEAVE

The right to leave is not secured in Romanian law. The present Romanian Constitution of 1965 (as amended in March 1974) and the legal code are both silent on the question of a citizen's right to leave the country. The existence of a variety of laws stipulating lengthy and complex conditions for acquiring exit visas and passports make it apparent that this absence of legal safeguards has given way to the State's claim of the right to control the movement of its citizens. (*See* Decree No. 156, 1970 on Passports and its implementing regulation, Resolution No. 424, 1970 of the Council of Ministers.)

The hundreds of cases which have come to the League's attention in recent years indicate that the laws and regulations governing the movement of citizens leaving Romania are designed to restrict travel across the borders. There are considerable procedural obstacles imposed by the Government on Romanian citizens who apply for exit visas. The citizen must first apply for an application form by submitting a document which itself is difficult to obtain. There are no codified laws defining the procedures for obtaining the emigration application, resulting in their arbitrary issuance by local officials. In some cases, (*see* case #1, appendix) authorities have refused to issue the application form altogether. Once acquired, the application, consisting of numerous forms, must be completed and submitted with certificates of birth and marriage, written statements of consent by employers, documents establishing that the applicant is not in debt to the State or subject to criminal prosecution, that the applicant has no dependents and that s/he has not had access to State secrets.

The applicant must also appear before special "People's Commissions" composed of party officials, police authorities, neighbors, employers and co-workers who interrogate prospective applicants on their reasons for leaving and attempt to dissuade them from doing so. Finally, the country of destination must be stamped on the exit visa before the applicant has determined his / her eligibility to enter that country.

Procedures for obtaining a travel visa are similarly lengthy, cumbersome and fraught with bureaucratic obstacles. Travel visas are limited as to duration and destination. Family members of the traveler must remain behind in Romania as security for his/her return and employers are often required to sign statements guaranteeing their employee's return. Currency regulations are prohibitively strict.

In addition to the difficult legal procedures, visa applicants often face severe economic, social and psychological deterrents to travel. Such reprisals for applying to emigrate include property confiscation, apartment evictions, job dismissal or demotion (employers have been reluctant to retain workers after issuing travel consent in fear of appearing to condone emigration), salary reductions, and expulsions from schools and universities during the lengthy period when the application is pending. Heads of households have reported being transferred to jobs in remote areas after applying for emigration, sometimes resulting in forced separation of families even within Romania (see case #27, appendix). Young men who apply to emigrate or travel are liable to find themselves drafted into special military units which perform heavy manual labor. Applicants to emigrate to join spouses abroad have been subjected to pressure to start divorce proceedings. Other forms of harassment include police surveillance, repeated threatening telephone calls, mail interception, and telephone tapping. There are also a number of instances of people who have publicly demonstrated or gone on hunger strikes in support of their demand to emigrate being confined to psychiatric hospitals for up to six weeks under Decree 12/1965. In one case which has come to the League's attention (see case #110, appendix), the emigration applicant was involuntarily committed to a psychiatric hospital where he was given neuroleptic drugs.

Even if the application process is complied with, visas are not necessarily granted. In fact, although the Romanian Government has been responsive to official foreign intercessions in behalf of specific exit visa cases, denials are common. The authorities are not obliged to provide a reason for refusals, and rarely do. With the exception of certain groups, emigration has remained very restricted, and our own case load reflects that travel opportunities for Romanian citizens desiring to leave are still tightly controlled.

In the one year period from June 1980 to June 1981, the League received approximately 150 requests for assistance concerning Romanian citizens wishing to emigrate. In the same period of the previous year, the League received fifty asssistance requests. Although the increase may be explained as a reflection of the growing awareness of the League's work in emigration and family reunification problems among East Europeans, the large number of cases received in 1980-1 nevertheless evidences continuing restrictions by the Romanian Government in the area of emigration.

Emigration policies are so strict that citizens have been prohibited from leaving Romania even for obtaining needed medical treatment (see cases #5 and #49) or for attending important professional meetings (see case #7) or other career-related events (see case #110) outside the country./

[The inquiries were made a part of the official committee files.]

Leaving or attempting to leave the country without official permission constitutes a crime against the State. Offenders are arrested, prosecuted under the penal code and sentenced to prison terms ranging from a few months to several years. A number of those charged with attempting to leave the country without official permission have been confined to psychiatric hospitals under Article 114 of the Romanian penal code (Article 114 stipulates that: "If the offender is mentally ill or is a drug addict and his condition represents a social danger, he may be interned in a specialized medical institution until his recovery. This measure can also be provisionally applied during penal proceedings or trial.").

Family Protection

A denial of the right to freedom of movement is all the more severe when it results in the separation of members of a family.

Under Article 27 of the Romanian Constitution, "The State protects marriage and the family and defends the interests of mother and child." The imposition of complex visa procedures and, in many cases, the outright prohibition against emigration and travel, result in children being forced to live apart from parents, spouses being separated and siblings and other close relatives being prevented from living or visiting with each other. These restrictions are an apparent violation of Romania's own Constitutional guarantee of family protection.

Restrictions on travel from Romania are so harsh that even requests for permission to leave the country temporarily to attend a funeral or wedding of a close family member have been denied by authorities. Similarly, requests to leave in order to tend to the needs of sick or aged parents or other close relatives residing in another country have also been refused.

Families seeking reunification who request permission to emigrate are subjected to the same types of Government harassment encountered by others asking to emigrate. In addition, families experience other forms of persecution and intimidation which are unique to their situation. Spouses seeking reunification are encouraged, and sometimes coerced by threats of loss of employment, to divorce.

Right to Marry and Found a Family

Even greater difficulties face those who wish to marry a foreigner since the fiance needs to obtain permission not only for the exit visa, but for the marriage itself.

A Romanian wishing to marry a foreigner must file a petition with the highest executive body in the country, the Council of State, which must eventually be approved and signed by President Ceausescu himself.

The Romanian Government is particularly reluctant to approve these requests for binational marriages, since such unions typically result in the emigration of the Romanian spouse.

The appendix cites numerous complaints received by the International League that the Romanian authorities have not granted requests to leave the country in order to marry fiances residing outside of Romania. As in the emigration cases discussed above, applications for exit visas for these individuals are often met by reprisals from the Government authorities. In addition, individuals who wish to marry individuals living outside the country are advised and pressured to break their engagement.

The appendix attached hereto contains over 100 case digests by the League concerning individuals who are currently being denied permission to emigrate from Romania.

Senator **Dole** [acting chairman presiding]. We now have a panel consisting of John Kyl, executive vice president, Occidental International Corp.; Nicholas L. Reding, chairman, National Agricultural Chemicals Association; and H. K. Baboyian, vice president, UOP, Inc.

I want to welcome my former colleague, John Kyl, to the committee.

STATEMENT OF JOHN KYL, EXECUTIVE VICE PRESIDENT, OCCIDENTAL INTERNATIONAL CORP.

Mr. **Kyl**. Thank you, Senator Dole.

The statement which I submitted for the record is actually that of former Senate colleague, Albert Gore, who is chairman of the board of Island Creek Coal Co. and who is also a member of the Romanian-United States Economic Council.

I will try to catch up on your time, sir, by simply telling you that we do have a long-term sales contract, with an advance payment between Island Creek Coal Co. and Romania.

The trade relations between Island Creek Co. and Romania are pleasant, profitable and mutually beneficial. We hope that the most favored nation treatment for Romania will be continued.

Senator **Dole**. Your entire statement will be included in the record.

Mr. **Kyl**. Thank you, Senator Dole.

STATEMENT OF NICHOLAS L. REDING, CHAIRMAN, NATIONAL AGRICULTURAL CHEMICALS ASSOCIATION

Mr. **Reding**. My name is Nicholas Reding. I am a group vice president of Monsanto Co., but I am appearing here today as chairman of the board of directors of the National Ag-Chem Association which represents some 115 companies which make and formulate most of the products used in the agricultural area in this country and much that is used abroad.

I am accompanied by Jack Earley, who is president of the National Ag-Chem Association. I have submitted a statement for the record. I will try to be brief in our recommendations.

Regarding Romania, last year, the NACA called your attention to problems we were having in gaining protection for our proprietary products in Romania.

The Romania national law was granting compound patents to Romanian firms while denying our company the same treatment.

We indicated that the Romanian authorities had assured our Government that corrective action was being taken.

This year, an NACA delegation reported, after joint American-Romanian Economic Commission meetings, that amendments to the law was in final stages, that the new law will reflect modern, international practices concerning protection of chemical inventions and will provide equal treatment to American companies.

The NACA position is that we have been waiting a year to actually see the new law, but recognize that it takes time.

As a result of the statements of the Council meeting we believe the Romanian Government has demonstrated good faith in its efforts.

Therefore, NACA recommends renewal of the trade agreement and continuation of MFN status for Romania and suggests that

Commerce and State report to the committee progress made toward a final resolution.

Regarding Hungary, the committee is familiar with the problems we have had concerning Hungary and industrial property rights.

The situation with respect to national treatment of our companies in Hungary has definitely improved. The Hungarian Patent Office has affirmed the patentability of Ag-Chem. compositions. Other Hungarian authorities have also confirmed this.

However, the question of composition patentability has been moved from the patent office to the courts. We remain concerned that patent applications for significant breakthroughs may be blocked in the courts with the same argument which was repeatedly raised in the past to block our applications in the patent office.

The question is whether the usual Ag-Chem composition, that is, a single active ingredient, along with adjuvants, is patentable.

The patent office and trade officials have rejected arguments by Hungarian companies that such compositions are not patentable.

It would be highly desirable if this fundamental point were settled as a matter of law, via court decision.

There is also a specific problem that has remained unsolved since 1978, that being the continuing sales in Brazil of a Hungarian product that infringes FMC's patent rights in that country, FMC being a valued member of our association.

You are well familiar with this matter. FMC reports several instances where efforts to negotiate a settlement have failed.

Notwithstanding that, I understand that our Government and FMC will soon begin a new effort, led by Assistant Secretary of Commerce Morris, to seek a solution through negotiations, in fact this week.

The NACA recommendation at this time is that we do not recommend termination of the waiver. We recommend that the subcommittee request that the Commerce and State Departments and the U.S. Trade Representative intensify their efforts to reach a resolution of this problem which adequately protects industrial property rights and insures fair treatment both by a court decision on patentability of compositions and to resolve the FMC problem.

Finally, regarding the People's Republic of China as background, the trade agreement provides for the creation of a commercial infrastructure necessary to facilitate trade.

Because of the agricultural potential of the PRC and the opportunities for significant trade, NACA has followed Chinese efforts to create this infrastructure with great interest.

Of particular concern for our high technology companies is the creation of a Chinese patent system. An adequate patent system, with a full range of protection for agricultural chemical products and technologies will create an environment where U.S. companies will be willing to expose their most advanced technology and devote the resources necessary for modernization of Chinese agriculture.

There are powerful incentives for China to protect these property rights.

A provision has been incorporated into the trade agreement providing that China will adopt a patent system that provides protection substantially equivalent to that provided under U.S. law.

We look forward to its fulfillment, so that a promising start for industry is continued and technical and commercial relations can expand rapidly.

NACA's position is that we are confident of the soundness of our small but growing relations with Chinese agriculture. We strongly recommend continuation of MFN status for the People's Republic of China.

However, the People's Republic of China must hasten to establish patent protection as called for in the treaty.

Thank you for the opportunity to testify.

Senator DOLE. Thank you.

Mr. Baboyian.

STATEMENT OF H. K. BABOYIAN, VICE PRESIDENT, UOP INC.

Mr. BABOYIAN. Thank you, Senator Dole. It is a pleasure to appear again before this committee, to support the continuation of most-favored-nation status for Romania, Hungary, and the People's Republic of China.

UOP is a multinational corporation engaged in energy technologies, construction and engineering services, and manufacture of products on a worldwide basis.

We have done business in Romania for over 40 years. We believe that both UOP and the Romanian Government have enjoyed a mutually beneficial relationship.

Our business relationship with the People's Republic of China began shortly after the signing of the Shanghai communique and has been excellent for both parties.

Our interests in Hungary have also been of longstanding and of mutual benefit.

Romania has significantly adapted its foreign trade relations to Western business conditions. As a result, U.S. companies have increased their share of Romanian trade done with the West, especially since 1975, when Romania first achieved most-favored-nation status.

In 1980, the United States was the third largest trading partner of Romania with trade of $1.4 billion.

United States trade with Romania has increased in both absolute terms and in terms of Romania's proportion of trade with the free market economies.

Since 1974, half of its trade has been from non-Communist countries. This trend continues to increase.

Romania—UOP's trade with Romania has also been increasing and the future seems promising for us. We believe Romania has made great strides to open new trade relationships not only with the United States but with other Western countries and also lesser developed countries. Some of that trade has been in conjunction with cooperation with our company in joint ventures.

Our trade with China and Hungary has been successful and the future opportunities also seem promising.

United States-China trade will undoubtedly increase markedly in the near future.

Most-favored-nation status and the continuation thereof, as the term implies, really doesn't give these countries any specific, special treatment that isn't accorded to our normal trading partners. It would merely continue to recognize them as good trading partners, partners dealing in good faith, both in terms of their adherence to the international agreements and nondiscrimination against U.S. goods and services, and as partners that exercise international competitive practices that we in the private business world value as a true measure of free trade.

UOP believes that continued most-favored-nation status will further strengthen and facilitate business between Romania, Hungary, China, and the United States, and therefore, we support President Reagan's recommendation for a further extension of authority under the Trade Act of 1974, to waive the freedom of immigration requirements under section 402, and for continuation of waivers applicable to these countries.

Thank you very much.

Senator **Dole**. Thank you very much.

Mr. Early, do you have anything?

Mr. **Early**. I have nothing to add.

Senator **Dole**. I have no questions.

Thank you.

Mr. **Kyl**. Thank you, Senator Dole.

Mr. **Reding**. Thank you, sir.

Mr. **Baboyian**. Thank you, Senator Dole.

[The prepared statements of the preceding panel follow:]

Statement of the National Agricultural Chemicals Association

The National Agricultural Chemicals Association (NACA) is a trade association, many of whose members engage in extensive research and development to create new products to protect crops and improve their yields. It is difficult to invent a new compound effective against the target disease, pest or weed, or which produces the desired effect on the growth of the plant. Further, the new compound must also have no adverse effect on the crop, be safe for humans and the environment, and economical to use. Because of the huge investment in these inventions, they are heavily protected by patents around the world.

Our agricultural chemical industry is among the few American high technology industries where we still have a clear lead over foreign competition. Our products are in great demand all over the world. Last year our exports brought in over a billion dollars and have been growing at a rate of 20 percent a year. But this success and our ability to continue to invest substantial amounts in research and development is almost totally dependent on respect for our industrial property rights.

The trade agreements which the Subcommittee is considering today bind the parties to respect each other's industrial property rights and to provide parties of the other country with the same treatment they provide their own nationals. These mutual concessions are fundamental to the development of bilateral trade and the free flow of technology. But trade agreements must be more than formal statements. The mutual concessions must have meaning in practice. It is on this point that NACA wishes to comment.

ROMANIA

At last year's hearing of the Subcommittee, NACA called to the Subcommittee's attention problems the American agricultural chemical industry had been experiencing in obtaining patent protection for their chemical inventions in Romania. In particular, attention was called to a provision of Romanian law which limited the availability of patents obtained by chemical means; e.g., chemical compounds, to socialist state organizations. Indeed, it was the experience of our member firms that patents containing claims directed to chemical compounds per se were not granted to foreign firms. We questioned whether such provision and the practices under it were consistent with Article V of the Agreement on Trade Relations with Romania and the Paris Convention which call for "national treatment;" that is, that each party provide nationals, firms, companies and economic organizations of the other party the same industrial property rights (patent protection, etc.) they provide their own nationals, firms, companies, etc. We firmly believe that these provisions provide that our member companies be able to obtain in Romania the same industrial property rights protection that is granted in Romania to Romanian enterprises.

NACA also indicated at last year's hearing that we had been informed through the Commerce Department that the Romanian Government was revising its patent law and planned to drop the provision limiting patents for chemical compounds to socialist state organizations. While we had hoped that the new law would be published before this time so that some tangible results would be evident, we recognize such matters take time. There have, however, been some positive results.

On May 14 and 15, 1981, the Joint American-Romanian Economic Commission held its Seventh Session in Bucharest. The government-to-government group had been created to facilitate increased trade under the Trade Agreement and solve problems thereunder. The Commission's Working Group on Facilitation of Trade and Cooperation convened a special meeting of patent experts to discuss the problems mentioned herein. Mr. Kirk of the U.S. Patent and Trademark Office chaired the U.S. side and was advised by an NACA delegation. In a joint Memorandum of Understanding developed during the special meeting, it is indicated that:

"The Romanian side informed the U.S. side that its competent authorities are drafting a new patent law and that the new law will reflect the changed conditions regarding international practice in the protection of chemical compounds and the relevant provisions of the U.S.-Romanian Trade Agreement and the Paris Convention, to which Romania adheres."

Informally, the Romanian side indicated they would follow the current trend toward full protection of chemical inventions and that the new law was very near completion.

Other favorable developments included clarification of Romanian patent practices and procedures concerning especially composition patents of the type used to protect many agricultural chemical inventions. The Romanian State Office for Inventions and Trademarks offered to discuss directly with American firms specific problems concerning the application of these practices and procedures.

Recommendations.—Based on the favorable developments outlined above, NACA recommends favorable consideration of the President's recommendation to continue MFN status for Romania. With respect to renewal of the Trade Agreement with Romania, it is NACA's view that the Romanians are actively working to correct the serious problems in the balance of concessions under the Agreement mentioned herein. Therefore, we recommend renewal of the Trade Agreement. NACA does, however, recommend that the Subcommittee on Trade request the Commerce and State Departments continue monitoring this situation until its final resolution and report back to the Subcommittee on the progress being made.

HUNGARY

American agricultural chemical manufacturers have reported obstacles to obtaining protection for their industrial property rights in Hungary. In particular, the companies have expressed concern about legal challenges by Hungarian enterprises both to their patent applications and to their issued patents in Hungary. The U.S. firms also have reported instances of the manufacture in Hungary of American proprietary products and sales by Hungarian enterprises of products in third countries in violation of U.S. companies' patent protection in those countries. According to the firms, these actions involve some of the principal and most technologically advanced products that the companies produce.

These issues were first brought to the attention of the Subcommittee during the hearings in 1979 on the Agreement on Trade Relations Between the United States and the Hungarian People's Republic and again at last year's hearings. Progress had been made, especially on the issue of the availability of patent protection in Hungary.

NACA appreciates the very clear statement by Hungarian authorities that agricultural chemical compositions are patentable under Hungarian law. Assurances such as this and the recent actions of the National Office of Inventions are very reassuring. However, our member companies continue to be concerned that means exist to effectively deny patent protection in Hungary for promising new agricultural chemical composition inventions.

At the last hearing, NACA referred to the practice of Hungarian enterprises filing oppositions to select patent applications for promising inventions using the same generic argument in every case. That is, that the composition of an active ingredient and adjuvants is not a valid composition, but a chemical compound which is not patentable under Hungarian law. Time and time again this one single issue, often clouded with complicated, irrelevant technical arguments, has been raised in the Patent Office and the courts to block Western patent applications. No final decision can be obtained and, in the meantime, a Hungarian enterprise can begin to manufacture the invention.

NACA fully agrees with Hungarian statements that you cannot deny an enterprise the right to oppose patent applications that it feels are improper. However, the applicant should be able to obtain a reasonably prompt resolution of the matter. This is especially true where the same basic, fundamental point of law is raised time and time again. Therefore, we continue to urge the Hungarian side to come to a legal decision on this point—in the courts—by decree—by legislation—in any appropriate manner to determine whether a single active ingredient along with adjuvants (surfactants, solvents, etc.) is a patentable composition under Hungarian law.

NACA presumes that the Hungarian legal system provides expeditious legal procedures to dismiss an opposition to a patent based on an argument which has been clearly decided to be invalid. Therefore, if the above points were clarified, our member companies, which file for patents in Hungary and are opposed by a Hungarian enterprise using the generic argument, could ask the court for a summary judgment and have the opposition dismissed quickly.

If this issue is not resolved, NACA companies could assume that every patent application for a promising agricultural chemical invention will be opposed by Hungarian enterprises using this same generic argument and, while a favorable decision may come out of the Patent Office, they will have to fight each and every application in the courts, with no hope of a final decision. Therefore, we obviously would not have advanced very far from where this problem started. Instead of having our applications tied up endlessly in the Patent Office, they would be tied up endlessly in the courts. American companies would not receive de facto national treatment.

It is possible that certain elements do not want the basic issue resolved in a precedent-setting manner so that they can maintain the option of selectively denying patents to American companies. By maintaining a case-by-case approach, this tired, old generic argument can be trotted out to effectively block a patent on any new, really significant and promising American invention. Thus, we could expect "national treatment" on minor inventions, but not on those that are really important—significant breakthroughs with great commercial promise. We would hope the Hungarian Government does not support this approach and is genuinely interested in the full and fair implementation of national treatment under the Trade Agreement.

Another serious unresolved problem involves a U.S. company and NACA member which in 1977 became aware of a Hungarian firm selling a product to a South American country where the U.S. company holds patent rights on the same product. The firm does not contest the right of the Hungarian firm to manufacture the product in Hungary where the U.S. firm does not hold patents, or to export it to countries where the U.S. firm does not have patent rights. The disagreement involves the propriety of the Hungarian entity shipping or permitting shipment to third countries where the U.S. firm has patent rights. This company contends the Hungarian enterprise is in violation of Paragraph 4 of the Agreed Minute of the Ad Hoc Working Group of the U.S.-Hungarian Joint Economic and Commercial Committee by insisting on the right to continue to export to countries where it has long-term supply agreements regardless of whether those agreements will violate the U.S. company's patent rights.

After three years, the facts and details of this dispute are well-known to the Congress and the Executive Branch. The statement submitted to this Subcommittee by NACA in July 1979 has some relevance today as far as good faith efforts to resolve this problem:

"The Hungarian producers have failed to exhibit an adequate appreciation for what is required by the letter and spirit of the Trade Agreement and Agreed Minute of the respective governments. In several important instances, negotiations initially appeared to go forward only to have fundamental points settled earlier reraised."

On the eve of yet one more good faith attempt by U.S. interests to negotiate an acceptable settlement, past experience leaves us skeptical. However, NACA applauds the efforts that Assistant Secretary of Commerce William Morris has made in seeking a solution to the problem, and will continue to support him in these efforts.

NACA has stated that this dispute raises serious issues of principle and goes to the heart of the U.S.-Hungarian bilateral agreement.

If industrial property rights and adherence to the Trade Agreement are not recognized, we urge the members of the Subcommittee as well as key officials in the Executive Branch to make their best effort, through all available channels, to obtain a solution.

Recommendation.—In view of the progress which has been made in resolving this serious trade problem, NACA would not, at this time, recommend that the waiver not be extended. However, NACA recommends that the Subcommittee request the Commerce and State Departments, and the U.S. Trade Representative intensify their efforts to reach a resolution which adequately protects American industrial property rights and ensures fair treatment of both sides under the Trade Agreement. Progress or the lack thereof should be reported to the Subcommittee so that appropriate action on the Trade Agreement can be taken.

PEOPLES REPUBLIC OF CHINA

The Trade Agreement with the Peoples Republc of China is an important element in the establishment and development of trade and technical relations between our two countries. Further, this Trade Agreement is unique in that the commercial infrastructure one takes for granted in other countries did not exist in China and, therefore, the Agreement deals in large part with basic framework for its creation.

As our industry seeks to expand trade and technical ties with the Peoples Republic, we are particularly interested in the mechanisms created for the protection of industrial property rights. The agricultural chemical industry is a high technology one which conducts extensive research and development and expends considerable effort on technical adaptation of products. Its willingness to expose technology and devote resources to a country's agricultural needs are directly related to the protection it receives in that country for its proprietary products and methods. Such protection includes compound per se and composition patents, as well as those for method of use and processes. Fortunately, there are some powerful influences which we believe will lead to the adoption of a patent system in the Peoples Republic which will stimulate mutual development in the agricultural chemical area.

China is unlike many smaller countries with less development potential which tend to denigrate industrial property rights. Such smaller countries have no technical base and scant chance of developing one. Their markets are small and do not attract investment and technology. China, on the other hand, has a vast agricultural potential. To fully realize it, China must attract modern agricultural technology—to adapt and utilize agricultural chemical products—and for the future, to build its own agricultural chemical industry to serve this vast market. Such a revolutionary modernization of agriculture requires technical cooperation that can only be founded on proper protection of the full range of industrial property rights in China.

The Chinese have recognized the need to protect industrial property as a key element in increased trade and technical exchange. A provision has been incorporated into the Trade Agreements providing that China will adopt a patent system that provides protection substantially equivalent to that provided under our law. Our industry, as I am sure does the Subcommittee, looks forward to its fulfillment, so that the promising start our industry and others have made in our commercial and technical relations can rapidly expand.

Confident of the soundness of our small but growing relations with the agriculture industry of the Peoples Republic of China and of the future, the National Agricultural Chemicals Association strongly recommends continuation of MFN status for the PRC.

Statement of Hrant K. Baboyian, UOP Inc.

Mr. Chairman, I am H. K. Baboyian, Vice President of UOP Inc. I am pleased to have this opportunity to appear before this subcommittee to support President Reagan's recommendation that an extension of the waiver authority for the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China, be granted under Section 402 of the Trade Act of 1974.

UOP is engaged in the development of energy technologies, construction, engineering services, and manufactured products on a worldwide basis. We have done business in Romania for over 40 years and we believe both UOP and the Romanian government have enjoyed mutually beneficial results. Our business relationship with the People's Republic of China began shortly after the signing of the Shanghai Communique and has been excellent for both parties. Our interests in Hungary have also been long-standing and of mutual benefit.

Romania has significantly adapted its foreign trade relations to Western business conditions. As a result, U.S. companies have increased their share of Romanian trade done with the West, especially since 1975 when Romania first achieved Most Favored Nation status. In 1980, the U.S. was the third largest trading partner of Romania with trade of $1.4 billion.

U.S. trade with Romania has increased in both absolute terms and in terms of Romaina's proportion of world trade with "free market economies." Since 1974, half of its trade has been from non-Communist countries, and this trend continues to increase. UOP's trade with Romania has also been increasing and future prospects seem promising.

Romania has made great strides to open new trade relationships not only with the U.S. and other Western countries, but also with lesser developed countries, some of it in cooperation with U.S. companies, such as UOP.

Our trade with China and Hungary has been substantial and the future opportunities seem promising. U.S.-China trade will undoubtedly increase sharply in the near future.

Most Favored Nation status would not, as the term implies, extend any special treatment to the countries. It would merely continue to recognize them as good trading partners—partners dealing in good faith, both in terms of their adherence to international agreements and nondiscrimination against U.S. goods and services, an as partners that exercise international competitive practices that we in the private business world value as a true measure of free trade.

UOP Inc. believes that continued MFN status will further strengthen and facilitate business between Romania, Hungray, China, and the U.S. Therefore, UOP supports President Reagan's recommendation for a further extension of authority under the Trade Act of 1974, to waive the freedom of emigration requirements under Section 402, and for continuation of the waivers applicable to these countries. Furthermore, we support the removal of the requirement that the Trade Act waiver authority be reviewed for approval on a yearly basis. Indeed, it is my feeling that this is a good time to consider a five-year extension of MFN status to each of these countries. This would not only be an incentive to them, but also a sign to other Eastern Bloc countries waiting in the wings.

In view of Romania's consistent and honorable trade behavior, its storing attempt to reduce its trade dependence on the Soviets, and its record of emigration and other such positive steps, such approval is justified.

Also, to continue MFN status for Hungary and the People's Republic of China is an important symbolic and practical decision to show these nations that they have their place among the nations we value as good trading partners.

Senator DOLE. Is Mr. Lote here?

[No response.]

Senator DANFORTH. I understand that Mr. Neier and Mr. Lote are not here.

The next witnesses are Father Galdau and Aurel Marinescu and Dr. Apostoliu.

Father Galdau.

STATEMENT OF FATHER FLORIAN M. GALDAU

Father GALDAU. Mr. Chairman, first of all we would like to thank very much, Senator Dole, who during the last year has helped us to bring quite a lot of Romanians to this country.

However, since the 1974 trade agreement between the United States of America and the Socialist Republic of Romania, I have been working to ameliorate the latter's policy on emigration and human rights.

It is difficult to say whether this trade pact was an economic success for the United States.

It is easy to see, however, that the Communist Government of Romania got almost $12 billion from the United States and other Western allies, while the Romanian people got nothing and are getting poorer and poorer every day.

There is no secret that most of this money was used for the Communist propaganda at home and abroad, especially in the United States.

As for emigration, the Communist Government of Romania makes up its own rules.

Last year, some 2,800 persons were able to leave Romania, albeit not without the usual chicaneries, harassment, and sadism inflicted on them.

As for human rights, the Communist Government of Romania refuses to recognize any of them.

It is very difficult for us to say exactly what happens because there are cases which for the last 18 years are still supposed to be allowed to come to the United States, U.S. citizens and family reunion, and the Romanian Government refuses to accept such cases or apparently to let them come to the United States.

Although the Romanian Constitution guarantees human rights and freedoms we do enjoy in this country and that they are signatories of, such as the human rights declaration, the peace treaties of 1947 and the 1974 trade agreement now before you again, they disregard them all, including their own reunion of families policy.

There is no freedom of religion, no freedom of speech, no freedom of the press, no right of assembly, no right to work and no right of private ownership in Romania.

Even with one of their better policies, the reunion of families, we have surprises. Departures of family members who are left behind are sometimes delayed for years, without any discernible reasons.

We don't know why some people are allowed to leave while others are not.

I would like to refer you to some of the cases listed in my enclosed statement. There are, of course, many more such cases, as we all know.

The Communist Party of Romania is really a branch of the Soviet Communist Party, despite declarations of independence.

Confirming this only too well are the recent defections in West Germany and Austria of such well-known spies and security people as Ion Paceps and Florian Rotaru. Both are now in the United States, as far as I know.

Mr. Chairman and members of the committee, in view of the above, we feel that in all conscience we cannot favor the extension of this trade agreement.

It is a one-way street. Until the Romanian Government institutes a more human rights policy recognizing the rights of the citizens there is no reason to give them our money for their propaganda.

Thank you very much, Mr. Chairman.

Senator Danforth. Thank you.

Mr. Marinescu.

STATEMENT OF AUREL MARINESCU

Mr. Marinescu. Mr. Chairman, I cannot sufficiently express to you my very profound gratitude for having given me this opportunity to speak about my experiences which I hope can be of help to you in making an intelligent judgment on the question before you.

I appear before you as a Romanian immigrant, who after several years in America, is still persecuted by the Romanian Communist regime, in that they are preventing us from reunifying our family.

In Romania—those closest to my family, were my sister-in-law Antoaneta Mihai, her husband, Dumitru Mihai and their daughter, Denise. About 2 years ago we wanted my sister-in-law and her family to visit us here in the United States. They met with absolute resistence from the Romanian authorities.

After a series of delays, their applications were refused. They were given no reason for the refusal. It then became quite clear that we had to get our family out of Romania permanently.

When the Mihai's first applied for passports, for permanent emigration, they were subjected to a series of abuses, which for the Communist Romanian regime are routine. Such as: For a time they were unable to obtain applications because the authorities claimed there were none available.

At their places of work, when the time came to receive their annual bonuses, they were told, "Let Uncle Sam give you your bonuses."

They were bombarded by phone calls of a harassing nature, during the day and night. Meetings were held in their enterprises at which they were ridiculed for having applied for passports to emigrate to the free world.

My sister-in-law was twice transferred to places of work much farther from her home, thereby inconveniencing her considerably.

Two times we sent parcels containing gifts for my sister-in-law and the Romanian authorities confiscated them without any explanation.

Finally, the Romanian Communist authorities flatly refused to grant my sister-in-law and family passports without offering any reason whatsoever.

Therefore, for the past 2 years, my wife and I have been trying to help my sister-in-law's family to obtain exit visas in order that we might realize our dream of being together again.

The U.S. State Department has been working very hard to help us on this case. Our case was received at extremely high level attention.

The American Embassy, in Bucharest, has raised our case many times with the Romanian Minister of Foreign Affairs.

Also, the Commission of Security and Cooperation in Europe has for the past 2 years, continually worked foı a positive resolution to our problem by including us among the cases which they present regularly to the Romanian Government.

At the meeting in Madrid, of the Conference of Security and Cooperation in Europe, the U.S. Delegation Chief Ambassador Max Kampelman discussed our case with the head of the Romanian delegation, the Ambassador Ion Datcu.

At a meeting on May 15, between the U.S. Secretary of State, Alexander Haig, and Romanian Foreign Minister, Stefan Andrei, our case, along with a very small number of others, was presented by Secretary Haig's group to the Romanians.

Various Members of the U.S. Congress have contacted the Romanian Ambassador to the United States, N. Ionescu, to ask that the Romanian regime to permit the reunification of our family.

Despite all this the Romanian Communist leadership adamantly was refusing to permit the Mihai family to leave Romania.

My sister-in-law and her family have no history of political dissent in Romania. They do not work in sensitive areas.

Apparently there is no reasonable explanation for the intransigence of the Romanian authorities.

The only explanation is that the Romanians are acting in accordance with the principle of applied to totalitarian communism.

It is very possible that the Romanian Communist leadership might be planning to use this as a means of persuading me to cooperate with them or as a way of extracting funds from me to buy our family's freedom.

They are common practices of the gang who rules Romania. The truly criminal act of persecution committed against my sister-in-law's family occurred on November 6, 1980. My brother-in-law was physically assaulted on one of the main streets of Bucharest at 4 o'clock in the afternoon, by a group of men and held for 6 hours at a location which he does not recall.

He remembers almost nothing of what happened. He was soaked with blood and almost the entire length of his lips were stitched together in a manner which prevented him from speaking.

He was brought home, after 10 p.m., by an unidentified truck driver. None of his personal belongings were stolen from him.

My brother-in-law was taken to a hospital and after examining the doctors found blood in his spinal fluid and officially diagnosed that he was having a minor cervical lesion.

When the doctors removed the stitches from lips they indicated that there had been no injury to the mouth. The stitches were obviously intended as a message that he should keep his mouth shut.

Senator **Danforth**. Can you conclude? Are you close to the end?

Mr. **Marinescu**. Yes.

Senator **Danforth**. Your entire statement will be made a part of the record.

Mr. **Marinescu**. This year, the Romanian Government has the audacity to ask that the most favored nation status be extended to them. For 3 years the American Government must recognize that a foreign nation are attempting to commit a fraud against it. The democratic Government of this great free Republic must not permit itself to be deceived.

The Romanian Communist dictatorship must—be made to realize that the American people are not gullible. You are obliged as elected representatives of the people of the United States to say no, emphatically to the con artists of Romania who seek to rob us of our wealth, and more importantly, of our dignity.

Thank you for your attention.

Senator **Danforth**. Thank you, sir.

Dr. Apostoliu.

STATEMENT OF DR. DIMITRIE APOSTOLIU

Dr. **Apostoliu**. Honorable Chairman, honorable Senator, I will summarize my statement, as my entire statement will be, I suppose, printed.

Senator **Danforth**. Yes.

Dr. **Apostoliu**. As a freedom fighter, the one who was only 13 years a political prisoner in Communist Romania's jails, and in the forced labor camp Danube, Black Sea, in my personal name and in the name of hunger strikers, I came over here today with the determination to ask you not to grant any more the MFN status to terrorist President Nicolae Ceausescu and his Communist Government until the 10 points of the hunger strikers will be accomplished.

Facts. On 1978, a group of Romanian freedom fighters founded the Free Union of Romanian Workers, SLOMR, in Romanian spelling.

The first free union founded in East European Communist captive countries, 2 years before Poland's Solidarity.

On July 17, 1978, all the founders of SLOMR were arrested, tortured, convicted to serve terms as political prisoners and confined to psychiatric hospitals.

One of them, Vasile Paraschiv, disappeared, without trace, in 1979 after his third confinement to a psychiatric hospital.

In 1980, Professor Dr. Gerard Low-Beer, a member of Britain's Royal College of Psychiatry, who visited all East European captive countries doing an underground search on political prisoners and Prisoners of Conscience who were confined to psychiatric hospitals, visited Vasile Paraschiv's family, in Romania.

He found Vasile Paraschiv's wife and her children around a table on each was a jar with ashes and several candles.

The poor wife and children were praying. When asked what was the news from her husband, Mrs. Paraschiv responded:

> Yesterday came over here, four security officers. They brought to me this jar with ashes and said here are the ashes of your husband. He was burned alive by President Nicolae Ceausescu's personal order. Tell everybody about, to be very clear and know what will happen to Romanian workers who will dare to try to do what Poland's Solidarity's members are doing now 2 years.

Later, after your husband and his fellows of SLOMR, Professor Dr. Gerard Low-Beer, reported what happened in December 1980, at Helsinki's signatories conference in Madrid.

Here you are "The News World" of Sunday, December 21, 1981, a New York newspaper which reports about this terrible crime against humanity, of terrorist Ceausescu.

A founder of SLOMR, Vasile Preda, arrested too since July 17, 1978, after being confined four times to psychiatric hospitals, was convicted to serve 8 years of hard labor as a political prisoner.

He is still in solitary confinement in the terrible political jail Gherla, and he is in chains, into an unheated and darkened cell, and hard beaten up three times a day until he is losing his conscience.

His case is handled by Amnesty International, by the U.S. Senate and House of Representatives, by the White House, the Department of State, and of course, by his family.

Stand up.

[A gentleman stood up at the witness table.]

Dr. APOSTOLIU. This is his father Mr. Ioiv Preda who is on a hunger strike on behalf of his son who is tortured by the order of terrorist Nicholae Ceausescu.

Several days ago, by underground way, there arrived a letter that reads, "Do something for Vasile Preda. He is looking like a shade. If you will do nothing now, you will not have for who to do. He will pass away, soonly, that you think."

The Romanian Born Again Christians, Ion Feraru of Strada Alexandru Cel Bun, Number 20, Suceava City and Petru Clipa, of Suceava City, too, were on a trip to their relatives of North Bucovina, the Romanian Province annexed by force, by the U.S.S.R. in 1940.

They were traveling by train, having Romanian legal passports with legal visitor visas issued by U.S.S.R.'s consulate.

When they arrived at the Russian border, the Romanian Security arrested them because they were reading the Bible for themselves in the train.

They were taken under arrest with the first train back to Suceava City. Over there they were killed by Security because they were reading the Bible on the train.

Senator **Danforth**. Will you finish your statement, please. Your time is up.

Dr. **Apostoliu**. You know, Honorable Senator, there are dramatic crimes against humanity. I saw our official representative from the Department of State trying to help the way to grant to this criminals the most favor nation clause. It is unimaginable.

By the way, I will finish in a few minutes. We are in hunger strike. This is the third one against the terrorist President Nicholae Ceausescu for and on behalf of our separated families.

Before a hearing of the House of Representatives, the President, the terrorist, Nicholae Ceausescu, sent to the Honorable Chairman, the slip I have in the file, from June 15, 1981, in which he states, "I would like to inform you that the following persons have received approval of the Romanian authorities to leave the country."

This man here, when he called up and received copies of letters from the Senator, called her family and they told her by phone, yesterday, if her family applied they would be sent to the psychiatric hospital.

Now, Honorable Senators, we are in July 27, a month later, this they are doing. The hunger strikers did not receive the passports. They were on the list.

Senator **Danforth**. I am sorry, sir, that is all we have time for.

Dr. **Apostoliu**. In the name of God, and of the human race, I ask you Honorable Senator, to stop once and forever the most favored nation clause for this terrorist killer and for his——

Senator **Danforth**. Thank you, sir.

Dr. **Apostoliu** [continuing]. Govenment of Russian spy killers and murderers. Long life to freedom. God bless America.

Senator **Danforth**. Thank you.

[Statements follow:]

STATEMENT OF AUREL S. MARINESCU
BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TRADE.
JULY 27, 1981.

Mr.Chairman:

I cannot sufficiently express to you my very profound gratitude for having given me this oportunity to speak about my experiences which I sincerely hope can be of help to you in making an intelligent judgement on THE question before you.

I appear before you as a romanian emigrant who after several years in America is still persecuted by THE Romanian communist regime in that they are preventing us from reunifying our family.

In Romania those closest to my family were my sister-in-law ANTONETA MIHAI,her husband DUMITRU MIHAI,and their daughter DENISSA. Approximately 2 years ago we wanted my sister-in-law and her family to visit us here in the United States.They met with absolute resistance from the romanian authorities.After a series of delays their applications were refused.They were given no reason for the refusal. It then became quite clear that we had to get our family out of Romania permanently.

When the Mihai's first applied for passports for permanent emigration they were subjected to a series of abuses which for the Romanian communist regime are routine such as:

1) For a time they were unable to obtain applications because the authorities claimed there were none available.

2) At their places of work when the time came to receive their annual bonuses,they were told"let uncle Sam or your relatives from America give you your bonuses."

3)They were bombarded by phone calls of a harassing nature day and night and meetings were held at their enterprises at which they were ridiculed for having applied for passports to emigrate to the free world.

4) My sister-in-law was twice transfered to places of work much farther from her home,thereby inconveniencing her considerably.

5) Two times we sent parcels containing gifts to my sister-in-law and the Romanian authorities confiscated them without any explanation.

Finally the Romanian communist authorities flatly refused to grant my sister-in-law's family passports without offering any reasons whatsoever. Therefore, for the past 2 years, my wife and I, have been trying to help my sister-in-law's family to obtain exit visas in order that we might realize our dream of being together again.

The United States State Department has been working very hard to help us on this case. Our case has received extremely high level attention. The American Embassy in Bucharest has raised our case many times with the romanian ministry of foreign affairs. Also, the Commission on Security and Cooperation in Europe has for the past 2 years, continualy worked for a positive resolution to our problem by including us among the cases, which they present regularly to the Romanian government.

At the meeting in Madrid of the conference of Security and Cooperation in Europe U.S. delegation chief, ambassador Max Kampelman, discussed our case with the head of the Romanian delegation, ambassador I. Datcu. In the meeting on May 15th. between United States Secretary of State Alexander Haig and Romanian foreign minister Stefan Andrei our case, along with a very small number of others, was presented by secretary Haig's group to the romanians.

Various members of the United States Congress have contacted the Romanian ambassador to the United States, Nicolae Ionescu, to ask that the Romanian regime permit the re-unification of our family.

Despite all these and other efforts the Romanian communist leadership adamantly was refusing to permit the Mihai family to leave Romania. My sister-in-law and her family have no history of political dissent in Romania. They do not work in sensitive areas. Apparantly there is no reasonable explanation for the entransigence on the part of the romanian authorities. The only explanation is that the romanians are acting in accordance with the principles of applied to totalitarian communism. It is very possible that the Romanian communist leadership might be planning to use this situation as a means of persuading me to cooperate with them or as a way of extracting funds from me to buy our family's freedom. These are common practices of the gang who rule Romania.

The truly criminal act of persecution commited against my sister-in-law's family occured on Nov.6 1980. My brother-in-law DUMITRU MIHAI was physically assaulted on one of the main streets of Bucharest at 4 o'clock afternoon by a group of men and held for 6 hours at a location which he does not recall.He remembers almost nothing of what happened.He was soaked with blood and almost the entire length of his lips were stitched together in a manner which prevented him from speaking.He was brought home after I0p.m. by an unidentified truck-driver.None of his personal belongings were stolen from him.

My brother-in-law was taken to a neurological hospital;upon examining him the doctors found blood in his spinal fluid and officially diagnosed him as having a minor cervical lesion.When the doctors removed the stitches from his lips,they indicated that there had been no injury to the mouth.The stitches were obviously intended as a message that be should keep his mouth shut.

When my brother-in-law returned home from the hospital,the only words he spoke for a few days were;"because I wanted to emigrate."He was given medical leave from his job until may I98I.Although he has not yet fully recovered from this attack,he has returned to work out of fear of imprisonment for "parasitism".He now suffers from severs headaches and has lost his sense of smell.He is still being treated medically for the effects of this physical assault.

The romanian police who consistently take a very harsh attitude toward criminal behavior demonstrated a distinct lack of interest when my sister-in-law attempted to file a formal complaint.

She has filed registred complaints #I57/8I with the chief prosecutor of Bucharest,#I58/8I with the central police headquarters of Bucharest, #I59/8I with the neighbourhood police,#I55/8I with the council of state of Romania,#I56/8I with the central committee of the communist party. Yet nobody has responded to her in regard to any investigation,arest, or prosecution.

It is clear to anyone the least bit familiar with political life in Romania that this attack is the work of the romanian security police (romanian K.G.B.).This action was not targeted solely at my sister-in-law's family but was intended to set my brother-in-law as an example to other persons contemplating applying for emmigration.

The terrorists who,as agents of the soviet communist dictatorship,rule Romania,have no respect for human rights or human life.

My family's case is not singular.Hundreds of families remain divided. But at the same time they try to make their emmigration picture seem better than it actually is by allowing a great many people to leave who are dangerous common criminals,phsychologically disturbed or old and incapable of doing productive work.By allowing vagabonds,criminals and other undesirables to emmigrate the romanian communist leadership attempts to cleanse Romania and,at the same time,tries to demonstrate to the world that those who wish to leave Romania do not represent the respectable romanian community-at-large.The Treiskirchen refugee camp near Wienna and the Latina refugee camp near Rome are filled with this kind of people.Hundreds of common criminals from Romania alredy are here in United States and in various other nations of the free world. Among these new emmigrants are individuals who are involved in clandestine activities in United States.

But people such as ourselves who want to bring our family together are made to suffer.

I can,to some extent,understand the attitude of the romanian dictatorship;if they were fully to open the doors to emigration then there would be a mass exodus,from the romanian communist state.The romanian people want to leavebecause no human being would want to live in a nation devoid of basic freedom -the freedom of speech,freedom of conscience,freedom of assembly,freedom of emigration,and all the other rights and freedoms that we enjoy here in our new country which is so bountifully blessed by GOD.

In my view the principal criterion for determining whether to continue M.F.N.trade status to Romania should be whether the communist leadership of Romania has unquestionably displayed a respect for its commitments to the United States and whether it specifically has abided by the provisions of section 402(Jackson-Vanik amendament).

We must not make this determination on the basis of whether M.F.N. trade status will be economically advantageous to the romanian economy and to a few american businesses.

Using the criteria of whether romanian's despots have showed that they respect the human right to emmigrate in order to be with ones family, one must undoubtedly decide that Romania not be granted an extension of M.F.N. trading status.

The romanian communist regime needs M.F.N. trade status because under the guise of trade they send agents to the United States to spy on american industry and to buy materials and technology which have the capacity for use in the military.

Through good relations with the United States with M.F.N.trade status president Ceausescu hopes to demonstrate again to the romanian people that America considers him to be a worthy individual.

It is essential to make a clear distinction between the people of

Romania and the illegitimate group which claims to be Romania's leadership. They, with the support and total control of Moscow have imposed their control upon the romanian population. They are a communist dictatorship.

It would be a error to extend M.F.N. trade status to Romania. To do so would simply be to assist the oppressors of the romanian people to be more oppressive, and will be an act against the romanian people.

We continue to help the romanian communist leadership in the totally erroneous belief that someday things will change for better in Romania if we cooperate with its leaders.

To extend M.F.N. trade status to the communist leadership of Romania would be to demonstrate to them and to the rest of the world that we do not take seriously the commitments which other nations make to us or that we are shamefully blind to the patent faithlessness of our trading partener.

The free world is now owed I2 billion dollars by Romania. The romanian communist regime will never pay this money nor will it ever be able to. Romanian industry can never be of any help to the american people. Romanian products, because of their poor quality, could never successfully compete on the american market. Romanian agriculture is bankrupt it is in this condition because Romania employs the soviet agricultural sistem. Romanian food products are insufficient and of inferior quality. Much of the food product is exported to other communist dominated states which are in even greater need.

The Romanian people face a perpetual shortage of food. The romanian people is more and more exploited, persecuted, humiliated.

Instead of using its resources to improve the quality of life for the romanian people the communist leadership utilizes a substantial portion of its financial assets to help support the many terrorist groups which plague the world, or for clandestine activities in the free world.

The most dangerous game of the totalitarian rulers of Romania is the so called politics of independence in which Ceausescu plays the role under soviet direction of being a champion of independence from Moscow while in reality the Ceausescu regime is nothing more than a soviet administrative agency.

On july I3,I98I the romanian government officialy notified the United States department of State, congressman Mario Biaggi and congressman John LeBoutillier that they had decided to permit the Mihai family to emmigrate. Because of my knowledge of the communist system I am compelled to assume that this is a maneuver on the part of the romanian communists to silence me in order that there not be impediments to their goal of swindling the United States government into extending their M.F.N. trade status.

I cannot take seriously the romanian authorities until such time as the Mihai family has safely landed in the free world.

What the romanian government is doing now is exactly what it does every year.When the time comes each year for the United States Congress to vote on M.F.N. trading status the romanians suddenly become amazingly cooperative.They particularly see to it that a handful of well-known cases are resolved.

However, make no mistake about it, after Romania gets their M.F.N. trading status they revert immediately to the criminal behavior THAT characterizes marxism.They once again deprive the romanian people of their rights and in some cases go so far as to physically brutalize innocent people such as my brother-in-law.

Yet, this year the romanian government has the audacity to ask that M.F.N. trading status be extended to them for 3 years.

Even if my sister-in-law's family will be allowed to come to the free world there are a multitude of other families and individuals in Romania who are either too petrified to apply for emmigration or who applied but have been told "no, you can't leave".

The American government must recognize that a foreign nation is attempting to commit against it a fraud.

The democratic government of this great free republic must not permit itself to be deceived.

The Romania communist dictatorship must be made to realize that the American people are not gullible.

You are obliged as elected Representatives of the people of the United States to say no emphatically to the con artists of Romania who seek to rob us of our wealth; and, more importantly of our dignity.

Thank you for your attention.
Aurel S.Marinescu.

STATEMENT OF Dr. DIMITRIE G. APOSTOLIU
PRESIDENT,AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS
before
U.S. SENATE COMMITTEE ON FINANCE
SUBCOMMITTEE ON INTERNATIONAL TRADE

HONORABLE CHAIRMAN,
HONORABLE SENATORS,

There is my duty to tanks to you HONORABLE CHAIRMAN and to allHONORARABLE SENATORS members of COMMITTEE and SUBCOMMITTEE,for given to me again, the opportunity ,to step on the floor of the most democratic FORUM of LAW MAKERS of the WORLD.,and to express in FREEDOM my opinion concernig PRESIDENT REAGAN'sRECOMANDATION TO WAIWE THE JACKSON-VANIK AMENDMENT TO THE TRADE AGREEMENT OF 1974-SECTION 402,-on grounds of "COMMUNIST ROMANIA's " HUMAN RIGHTS" RECORD.
But, as a FREEDOM FIGHTER, the one who was"ONLY"13 years POLITICAL PRISONER in COMMUNIST ROMANIA's JAILS and in THE FORCED LABOR CAMP DANUBE- BLAK SEA(JULY 14, 1947-APRIL 1964)the one who since 1974 is PRESIDENT OF"AMERICAN -ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS" A CHRISTIAN and ANTITERRORIST ORGANISATION-THE NON PROFIT ORG.WHICH IS FIGHTING AGAINST INTERNATIONAL TERRORISM,AND IN BEHALF OF FORCED SEPARATED FAMILIES REUNIFICATION in THE USA and FOR THE RESTAURATION OF HUMAN RIGHTS in COMMUNIST ROMANIA,and as the one who since MAY 17,75 to date organised 12 ROMANIAN HUNGERSTRIKES in the USA and CANADA for the above mentioned DEMOCRATIC GOALS,being organiser, participant and spokesman of HUNGER STRIKERS,- there is my duty -that in my name and in the names of HUNGER STRIKERS-TO FIRMLY OPPOSE TO PRESIDENT REAGAN's RECOMANDATION ,BASED ,UNFORTUNATELY FOR ROMANIAN PEOPLE WHO IS TERRORISED BY ROMANIAN STALINIST PRESIDENT NICOLAE CEAUSESCU,-ON DRAMATICAL CRIMES AGAINST HUMANITY PERPETRATED BY TERRORIST PRESIDENT NICOLAE CEAUSESCU AND HIS SECURITY-(COMMUNIST PARTY'sSECRET POLICE of K.G.B. TYPE)
THERE ARE TOO FACTS PERPETRATED BY NICOLAE CEAUSESCU ALL OVER THE WORLD IN SUPPORTED THE INTERNATIONAL TERRORISM,ENDAGERED THE NATIONAL SECURITY OF THE U.S.A. AND EVEN ESPIONAGES ACTS PERPETRATED BY ROMANIAN OFFICIALS IN BEHALF OF U.S.S.R,& ON USA NATIONAL TERITORY:WASHINGTON D.C. AND OTHER U.S.A LOCATIONS:

BASED ON FACTS, I AM ASKING THAT DO NOT GRANT ANYMORE THE " M.F.N" TO TERRORIST PRESIDENT NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT, UNTIL " THE TEN POINTS" OF HUNGERSTRIKERS, WILL BE ACCOMPLISHED!

FACTS:

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On 1978 a group of ROMANIAN FREEDOM FIGHTERS founded " THE FREE UNION OF ROMANIAN WORKERS" -" S.L.O.M.R." in ROMANIAN spelling.The first FREE UNION FOUNDED IN EAST EUROPEAN COMMUNIST CAPTIVE COUNTRIES, TWO YEARS BEFORE POLAND's " SOLIDARITY".

ON JULY 17,1978, all the founders of " S.L.O.M.R" wrere arested,torturod, convicted to serve terms as POLITICAL PRISONERS and confined to PSYCHIATRIC HOSPITALS.ONE OF THEM VASILE PARASCHIV ,DISSAPEAREDWITHOUT TRACE in 1979 after his third confinement to PSYCHIATRIC HOSPITAL.-

In 1980,Prof Dr GERARD LOW-BEER, member of BRITAIN's ROYAL COLLEGE OF PSYCHIATRIST, who visited all EAST EUROPEAN CAPTIVE COUNTRIES doing a underground serch on POLITICAL PRISONERS and PRISONERS of CONSCIENCE who where confined to PSYCHIATRIC HOSPITALS, visited and VASILE PARASCHIV's family. He found up VASILE PARASCHIV's wife and her children, around a table on each was a jar with ashhe and several candles, The poor wife and children were praying, WHEN ASKED WHAT IS THE LAST NEWS FROM HER HUSBANDMrs PARASCHIV RESPONDED: YESTERDAY THERE CAME OVER HERE FOUR SECURITY OFFICERS, THEY BROUGHT TO ME THIS JAR WITH ASHE IN SAYING:HERE YOU ARE THE ASHE OF YOUR HUSBAND,HE WAS BURNED ALIVE BY PRESIDENT NICOLAE CEAUSESCU's PERSONAL ORDER,TELL TO EVRIBODY ABOUT, TO BE VERY CLEAR KNOW WHAT WILL HAPPEN TO ROMANIAN WORKERS WHO WILL DARE TO TRY TO DO WHAT POLAND " SOLIDARITY"S s MEMBERS DID,TWO YEARS LATER AFTER YOUR HUSBAND's AND HIS FELOW OF " S,L,O.M,R"

Prof. Dr GERARD LOW BEER, REPORTED ABOUT WHAT HAPPENED IN DECEMBER 1980 AT HELSINKI's SIGNATAIRESS CONFERENCE OF MADRID,

HERE YOU ARE"THENEWS WORLD'S - A DAILY NEW YORKER NEWS PAPER, WHICH IS REPRTED ABOUT THIS TERRIBLE CRIME AGAINS HUMANITY OF TERRORIST CEAUSESCU - OTHER MEMBER FOUNDER OF " S.L.O.M.R " VASILE PREDA,ARRESTED TOO SINCE JULY 171 1978,-AFTER CONFINED FOUR TIMES TO PSYCHIATRIC HOSPITALS, WAS CONVICTED TO SERVE 8 YEARS OF HARD LABOR AS POLITICAL PRISONER. HE IS STILL IN SOLITARY CONFINEMENT IN THE TERRIBLE POLITICAL JAIL " GHERLA". HE IS IN CHAINES, INTO A UNHEATEN AND DARKNED CELL, AND HARD BEATEN UP THREE TIMES A DAY UNTIL HE IS LOOSING HIS CONSCIENCE.

HIS CASE IS HANDLED BY" AMNESTY INTERNATIONAL" BY U.S. SENATE and U.S. HOUSE OF REPRESENTATIVES,BY THE WHITE HOUSE ,BY U.S. DEPARTMENT OF STATE AND, OF COURSE BY HIS FAMILY WHO SUCCEDED TO LEFT COMMUNIST ROMANIA AND JOINED " THE HUNGER STRIKE" IN HIS BEHALF.

BUT VASILE PREDA IS STILL HOSTAGE AND STILL TORTURED BY ROMANIAN SECURITY. A RECENT LETTER ARRIVED ON UNDERGROUND WAY TO HIS FAMILY, READ:"DO SOMETHING FOR VASILE. HE IS LOOKING LIKE A SHADE.IF YOU WILL DO NOTHING RIGHT NOW, YOU WILL DO NOT HAVE FOR WHO TO DO. HE WILL PASS WAY, SOONLY THAT YOU THINK!"...

- THE ROMANIAN BORN AGAIN CHRISTIANS" ION FERARU of Strada ALEXANDRU CEL BUN # 2o, SUCEAVA CITY, and PETRU CLIPA, of SUCEAVA CITY, TOO ,WERE ON A TRIP TRIP TO THEIR RELATIVES OF NORTH BUCOVINA, THE ROMANIAN PROVINCE ANNEXED BY FORCE BY U.S.S.R in 1940.THEY WERE TRAVELING BY TRAIN, HAVING ROMANIAN LEGAL PASSPORTS WITH LEGAL VISITOR VISAS ISSUED BY USSR's CONSULATE.

WHEN THEY ARRIVED AT RUSSIAN BORDER, THE ROMANIAN SECURITY ARRESTED THEM BECAUSE THEY WERE READING THE BIBLE, FOR THEM SELVES, IN TRAIN. THEY WERE TOOK UNDER ARREST WITH THE FIRST TRAIN BACK TO SUCEAVA CITY.OVER THERE,THEY WERE KILLED BY SECURITY BECAUSE...THEY WERE READING THE BIBLE IN TRAIN!...

THEIR FAMILIES WERE GIVEN " FORCED RESIDENCE".

THIS HAPPENED ON MARCH 25,1981, in SUCEAVA CITY!...

-- ON THE SAME MARCH 25,1981, THE CARMOCANU BROTHERS(ION, AUREL and TITUS) CHRISTIAN ORTHODOXES-ONES-STARTED A " HUNGER STRIKE"IN MANGALIA CITY, TO PROTEST AGAINST THE DENIAL OF THEIR APPLICATIONS FOR EXIT VISAS IN ORDER TO BE REUNITED WITH THEIR BROTHE FLORIN CARMOCANU OF NEW YORK, AMERICAN CITIZEN. THEY APPLIED SINCE 1975!...THEY WERE ARRESTED AT PLACE,TORRTURED AND SENT TO SERVE TERMS OF POLITICAL JAIL...

- ON MARCH 25,1981 TOO, " SIX BORN AGAIN CHRISTIANS" WHO STARTED A "HUNGER STRIKE" TO PROTEST THE DENIAL OF THEIR APPLICATIONS FOR EMIGRATION FILLED UP ONE YEAR AGO, WERE ARRESTED BY CONSTANTA CITY's SECURITY TORRTURED AND SENT TO "THE FORCED LABOR CAMP PERIPRAVA" NEAR THE RUSSIAN BORDER, ON DANUBE RIVER's DELTA.THEY ARE: GABRIEL CULEA,21, SCULPTOR, PETRU VARVARA,22, ELECTRO-MECHANICSTANCU MANEA,AUTO-MECHANIC,DUMITRU MANEA, ELECTRICIAN,EMIL DUMITRU AND SIDER SOLOMON,M.D.

- ON MARCH 25,1981 TOO, THE ROMANIAN NEO-PROTESTANTS WHO STARTED A "HUNGER STRIKE" TO PROTEST THE DENIAL OF THEIR APPLICATIONS FOR EMIGRATION FILLED UP ONE YEAR AGO, WERE ARRESTED BY RESITA CITY's SECURITY, TORRTURED BY, AND SENT AT PLACE TO FORCED LABOR CAMP!...

- ION PREJBAN ONE OF THE LEADERS OF ROMANIAN BORN AGAIN CHRISTIANS" JUST RELEASED FROM POLITICAL JAIL WAS ARRESTED AGAIN BY SECURITY AND CONFINED TO A PSYCHIATRIC HOSPITAL ON THE SAME DAY OF MARCH 25,1981!...

- PROF. Dr REVEREND GHEORGHE CALCIU DUMITREASA, PROFESSOR WITH THE TEOLOGICAL INSTITUTE OF THE CHRISTIAN ORTHODOX PATRIARCHATE OF BUCHAREST,IS SERVING A 10 YEARS TERM OF POLITICAL JAIL,BECAUSE AS A PROFESSOR WITH THE CHRISTIAN ORTHODOX TEOLOGICAL INSTITUTE OF BUCHAREST ,HE EXPLAINED " THE BIBLE" TO HIS STUDENTS, FUTURE REVERENDS!...

I am permit to remenber to you, Honorable Senators that " FREEDOM OF RELIGION" it is one of HUMAN BEING HUMAN RIGHTS, provided as in " THE UNIVERSAL DECLARATION OF HUMAN RIGHTS" OF UN., signed up at SAN FRANCISCO, in the USA on DECEMBER 1o, 1948!

I am permit too, to remember to you, HONORABLE SENATORS" that, as APOSTLE MATHEW stated " GOD MADE MAN TO BE FREE!"

But, as reported to HELSINKI AGREEMENT's signataires conference of MADRID in 1981, the new ROMANIAN CRIMINAL CODE(CALLE OVER THERE " THE PENAL CODE) PROVIDE FROM 3 to 5 YEARS POLITICAL JAIL IF SOMEBODY IS CAUGHT UP WITH OBJECTS OF CULT AS ICONES OR " BIBLES" OUTSIDE THE CHURCH.

THE COMPUTERS BOUGHT FROM THE U.S.A.USE TO HAVE " DATA" ON THOSE WHO ARE

WORSHIPYING ANY KIND OF RELIGIONS, IN ORDER THAT THE SECURITY TO HARASSE, ARREST, TORRTURE AND THEN TO SENT THEM TO MILITARY COURTS FOR PROSECUTION AND CONVITION TO POLITICAL JAIL TERMS OR CONFINEMENT TO PSYCHIATRIC HOSPITALS.

Here you are the AMERICAN newspapers reporting about.

* * *

TERORIST PRESIDENT NICOLAE CEAUSESCU's and HIS SO CALLED " DIPLOMATS'"

ACTIVITIES OF SUPPORTYING THE INTERNATIONAL TERRORISM, OF SPYING ON U.S. A TERITORY IN BEHALF OF U.SSR, AND ENDAGERED THE NATIONAL SECURITY OF U.S.

TERORIST PRESIDENT NICOLAE CEAUSESCU, A FORMER APPRENTICE SHOEMAKER WHO USE TO CALL HIMSELF " ACADEMICIAN" BECAUSE HE IS GRADUATE OF...THREE GRAMMAR SCHOOL CLASSES OF THE GRAMMAR SCHOOL OF SCORNICESTI, DISTRICT OF PITESTI, CEAUSESCU's NATIVE VILLAGE, WAS THE FINANCIAL SECRETARY OF " THE THIRD INTERNATIONAL OF COMMUNISM, LEADED BY MOSCOW.

NOW HE IS MAINTANING THIS RANK AND RECENTELY, in JULY 1981, THE CONFERENCE OF COMECON IN WARSAW WAS PRESIDED BY A ROMANIAN!...

CEAUSESCU IS THE ONE WHO IS APPROVING AND TODAY THE MONEY AND WEAPONS FOR INTERNATIONAL TERRORISM AND MORE THAT THAT HE IS THE ONE WHO PROVIDES WHATEVER THEY NEED.

- TWO ROMANIAN SAILORS DEFECTED IN NEW YORK TWO YEARS AGO, AND THE ONE DEFECTED FIVE YEARS AGO, STATED THAT THEY WERE EYE WITNESSYING HOW UNDER GRAINS THERE WERE HIDED WEAPONS FOR COMMUNIST INSURGENTS OF THIRD WORLD SO CALL " MOVEMENT OF NATIONAL ELIBERATION ". THE WEAPOS WERE DELIVERED IN ALGER!...
- OTHER EYE WITNESS , POLITICAL REFUGEES IN THE U.S.A , STATED THAT IN BANEASA FOREST, NEAR THE FORMER INTERNATIONAL AIRPORT OF BUCHAREST, AT THE " ACADEMY OF SECURITY" THERE IS A CAMP WERE RUSSIAN K.G.B. OFFICERS ARE GIVING TRAINING TO COMMUNISTS OF CUBA IN ORDER TO BE THEN INFILTRATED IN THE U.S.A ON DIFFERENT CANALS AND TO SPY OVER HERE FOR USSR. THEY ARE TOO RECEIVING TRAINING OF " GROUPS OF SABOTAGE" AND AIRPLANES HIJAKS!...
THE CAPACITY OF THIS CAMP IS OF 2000 TERRORISTS AND THE TRAINING IS FOR ONE FUL YEAR.
THIS KIND OF MILITARY CAMPS THERE ARE IN DIFFERENT DISTRICTS OF THE COUNTRY AS PLOESTI AND SIBIU. BUT OVER THERE THE TERRORISTS ARE RECRUITED FROM ANGOLAN NATIONALS AND THEY RECEIVE TRAINING NOT FOR ESPIONAGE, BUT FOR "GUERRILA" FIGHTS. THEN THEY ARE SENT TO THE THIRD WORLD...
- ON FEBRUARY 1,1981, ONE SO CALLED ION ROTARU ,FORMER OFFICIAL WITH ROMANIA' s EMBASSY IN WIENNA, AUSTRIA DEFECTED IN WEST GERMANY AND ASKED POLITICAL ASYLUM. HE STATED THAT HE WAS MONITORYING A NET SPY WORK IN WESTERN EUROPE U.S.A. AND CANADA FOR USSR, WORKING IN WITH THE SO CALLED " ROMANIAN CITIZENS RESIDING IN FOREIGN COUNTRIES. ION ROTARU SUBMITED TO WEST GERMAN AUTHORITIES A 60 POUNDS FILES PAKAGES WITH FILES OF INDIVIDUALS INVOLVED IN USSR's SPIES NET WORK!...THEY WERE ARRESTED!...
- THE AMERICAN AUTHORITIES UNCOVERED IN FEBRUARY TOO, A RUSSIAN SPIES NET WORK LOCATED INTO THE ROMANIAN EMBASSY IN WASHINGTON D.C. AND COD NAMED IRONICALY " LIBERTY"!
THE SO CALL " ROMANIAN DIPLOMATS" WERE WORKYING IN THE USSR's SPIES NET WORK WITH " ROMANIAN CITIZENS RESIDING IN A FOREIGN COUNTRY(THE U.S.A)
Here you are the MAERICAN NEWSPAPER WHO REPORTED ABOUT.

FREEDOM OF EMIGRATION

I am permit to submit to you, HONORABLE CHAIRMAN, the list of FORCED SEPA-

RATED FAMILIES REUNIFICATION FROM COMMUNIST ROMANIA.

THERE ARE ON U.S. CITIZENS AND U.S. RESIDENTS BY ROMANIAN DESCENTS WHO JOINED OUR " HUNGER STRIKES" OVER HERE IN THE U.S.A IN BEHALF OF THEIR HOSTAGE RELATIVES FROM COMMUNIST ROMANIA.

THERE ARE TOO CASES OF AMERICAN CITIZENS HOSTAGES IN COMMUNIST ROMANIA TO WHOM THE TERORIST PRESIDENT NICOLAE CEAUSESCU DO NOT PERMIT TO BE REPATRIATED TO THEIR NATIVE COUNTRY THE U.S.A.(THE CASE OF Mrs MARIA SILVIA VASILE & HER FAMILY OF TIMISOARA)

- OTHER RELATIVES OF HUNGER STRIKERS WERE ARRESTED WHEN THEY DARED TO APPLY FOR EMIGRATION. THE MOST DRAMATICAL ONE IS THE CASE OF Mrs ILEANA MURESAN of NEW YORK.WHEN HER HUSBAND GRIGORE MURESAN . HER DAUGHTER VALERIA MURESAN .13. AND HER SON OVIDIU MURESAN .17. APPLIED FOR EMIGRATION IN SATU-MARE CITY -ALL OF THEM WERE ARRESTED. ONE WEEK LATER Mr. GRIGORE MURESAN AND THE LITTLE VALERIA .3.WERE RELEASED.BUT OVIDIU MURESAN.17. WAS CHARGED WITH " HOOLIGANISM AND SENT TO POLITIJAIL. OVER THERE HE WAS BEATEN UP OVER THE HEAD UNTIL HE LOOS HIS SENS OF EAR WITH BOTH OF HIS EARS.HE IS STILL TORRTURED BY SECURITY SINCE NOV. 27.1980 WHEN WAS ARRESTED ANDTHERE IS A DRAMATIC LETTER SMUGLED FROM JAIL DURING THE LITTLE VALERIA' VISIT TO HIM AND ARRIVED IN NEW YORK BY UNDERGROUND WAYS.THE LITTLE GIRL COMPARE THE POLITICAL JAIL WHERE HER BROTHER 17.IS AS" WORSTER THAN A NAZI CONCENTRATION CAMP."!...

- Mr..INOVIE CRET OF CHICAGO HAS HIS WIFE ELENA CRET AND HIS KIDS IONEL AND CRISTI CRET HOSTAGES IN ARAD CITY. INSTEAD TO GRANT THEM THE EXIT VISA.THE SECURITY OF ARAD CITY CONCOTED THE CHARGE THAT Mrs ELENA CRET ADVISED PEOPLE HOW TO CROSS ILEGALY THE ROMANIAN-JUGOSLAVIAN BORDER...AND TRY TO ARREST HER FOR!...

- MAY I ASK YOU. HONORABLE CHAIRMAN AND HONORABLE SENATOR. HOW COME THAT DURING " THE DISCUTIONS" WITH ROMANIAN REPRESENTAIVES OUR SENATORS. OUR CONGRESSMEN AND OUR OFFICIALS OF DEPARTMENT OF STATE ARE STILL LISTENING TO ROMANIAN OFFICIAL'sARGUMENTATION ABOUT THE SO CALL "DIFFERENT CASES OF FAMILIES REUNION" THE ONES BEING "COMPLICATED"... WHAT FOR?! THE ISSUE IS THE ONLY ONE. Art 13 of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS" OF U.N.- PROVIDE CLEAR AND WITHOUT ANY OTHER POSSIBILITY OF INTERPRETATION THAT

2.- EVERYONE HAS THE RIGHT TO LEAVE ANY COUNTRY INCLUDING HIS OWN AND TO RETURN HIS COUNTRY.

THIS MEAN THAT IF SOMEBODY WANT TO EMIGRATE TO THE MOON. THE TERORIST PRESIDENT NICOLAE CEAUSESCU MUST ISSUED TO HIM THE EXIT VISA!

BASKET THREE OF HELSINKI AGREEMENT HAVE TOO CLEAR PROVISIONS ON FAMILY REUNION AND TERORIST CEAUSESCU COMITED HIM SELF BY " M.F.N" TO LET THE PEOPLE GO!...

BUT INSTEAD. WE IN THE USA ARE GRANTING TO TERRORIST CEAUSESCU THE " M.F.N" FOR HIS " FLAGRANT AND PERMANENT VIOLATION OF ALL INTERNATIONAL AGREEMENTS SIGNED BY HIM IN MATTER OF FAMILIES REUNIFICATION!....

AND WE ARE FORCED TO STRUGGLE BY " HUNGER STRIKES" TO HAVE OUR FAMILIES REUNITED. AND ON THE OTHER HAND OUR HOSTAGE RELATIVES ARE TORTURED BY SECURITY!

OUR SENATORS. OUR CONGRESSMEN AND OUR DEPARTMENT OF STATE SUBMIT TO TERRORIST PRESIDENT CEAUSESCU LISTS OF FORCEDSEPARATED FAMILIES REUNIFICATION.

INSTEAD TO GRANT THEM WITH EXIT VISA. TERRORIST PRESIDENT NICOLAE CEAUSESCU. SINCE 1977 SENT TO THE FREE WORLD MORE THAN 10.000 ORDINARY CRIMINALS AND UNDERCOVER SECURITY's AGENTS TO INFILTRATE THE ROMANIAN EXIL.HIS IDEA WAS FELOWED BY OTHER INTERNATIONAL TERORIST CASTRO?

- BEFORE U.S. CONGRESS HEARINGS ON " M.F.N." TERORIST CEAUSESCU USE TO ASSURE OUR ELECTED SENATORS AND REPRESENTATIVES AND OUR ADMINISTRATION THAT HE ALREADY INCREASE THE NUMBER OF EMIGRATION IN THE USA. AND

THEREFORE HE IS ENTITLED TO RECEIVE FOR ONE MORE YEAR THE "M.F.N" -BEFORE THE HEARING ON "M.F.N" OF JUNE 1o.1981 ON SUBTRADE COMMITEE OF WAYS AND MAENS COMMITTE OF HOUSE OF REPRESENTATIVES. CONGRESSMAN MARIO BIAGGI RECEIVED A LETTER SIGNED UP BY COMMUNIST AMBASSADOR NICOLAE IONESCU WHICH READ"SELAGEA FAMILY 's EXIT VISA IS APPROVED" TWO WEEKS AFTER THE ISSUE OF THIS " AMBASSADORIAL" LETTER Mrs LIDIA SELAGEA CALLED UP BY PHONE HERFAMLLY AND LEARNED THAT -HER FAMILY WAS JUST THREATENED WITH CONFINEMANT TO PSYCHIATRIC HOSPITAL IF WILL NOT GIVE UP THE INTENTION OF EMIGRATION!...

- ONE OF HENRY KISSINGER's GHOST-SONNENFELDT-THE ONE WHO ADVOCATED THAT NOT ONLY EASTERN EUROPE BUT EVEN THE WESTERN EUROPEAN DEMOCRATIES TO BE LEFT UNDER USSR's DOMINATION AND TO BECOME COMMUNIST CAPTIVE NATIONS.-INTRODUCED TO PRESIDENT RONALD REGAN OTHER TERORIST.STEFAN ANDREI.THE ROMANIAN FOREIGN AFFAIRS MINISTER. THIS ONE BROUGHT TO OUR PRESIDENT CEAUSESCU's ASSURANCE THAT HE WILL GRANT THE EXIT VISA TO ALL ON U.S. SENATE . U.S. CONGRESS AND U.S. DEPARTMENT OF STATE's LISTS OF FORCED SEPARATED FAMILIES REUNIONAND OF COURSE THAT HE STATED TO PRESIDENT REGAN THAT 2800 INDIVIDUALS WERE JUST RELEASED!...

I ASKED YOU HONORABLE CHAIRMAN AND HONORABLE SENATORS TO VERIFY THIS FIGURE OF 2800 PEOPLE AND TO SEARCH FIRST OF ALL WHO THEY ARE!

BECAUSE NONE OF THEM ARE ON OUR OFFICIAL LISTS AND MAY BE THEY ARE THAT KIND OF UNDERCOVER SECURITY's AGENTS INFILTRATED IN OUR COUNTRY I REMEMBER TO YOU THAT THE HONORABLE SENATOR DANIEL PATRICK MOILIHAN OF NEW YORK HAD ON REPORT ON " THE INFILTRATION FROM COMMUNIST COUNTRIES ON U.S.SENATE SELECT SUBCOMMITTEE ON INTELLIGENCE or 1980. WE DO NOT HAVE TO BE NAIVE AND TO DO BY " M.F.N "A WAY OF COMMUNIST INTELLIGENCE INFILTRATION IN THE U.S.A.

- BECAUSE THERE WERE RAISED OVER HERE TO THIS HEARING AND TO PREVIOSES ONES-VOICES WHO MISSINFORMED YOU THAT "THE MOST FAVORED NATION CLAUSES BEING GRANTED TO COMMUNIST ROMANIA CREATED MORE JOBS FOR U.S.A. WORKERS AND A LOT OF ECONOMIC ADVANTAGES TO OUR COUNTRY" - PLEASE READ CARREFULY THE " A.F.L.-C.I.O" MOTIVATED OPPOSITION TO AND TAKE YOUR DECISION IN THE REAL ADVANTAGE OF THE USA BY NOT GRANTED ANYMORE THE " M.F.N" TO TERORIST NICOLAE CEAUSESCU!...

HONORABLE CHAIRMAN HONORABLE SENATORS

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FOR THE ABOVE REPORTED FLAGRANT VIOLATION OF " THE UNIVERSAL DECLARATION OF HUMAN RIGHTS" OF U.N..OF BASKET THREE OF HELSINKI AGREEMENT. OF THE " M.F.N" EXPRESS CONDITION OF EASING THE EMIGRATION FROM COMMUNIST ROMANIA.FOR THE CRIMES AGAINST HUMANITY AND FOR THE THE ACTIONS OF ENDAGERYING THE NATIONAL SECURITY OF THE U.S.A .BY SPYING ON U.S. NATIONAL TERRITORY IN BEHALF OF USSR.-PERPETRATED BY TERRORIST PRESIDENT NICOLAE CEAUSESCU PERSONAL. BY HIS PERSONAL ORDERS AND BY THE SO CALL" ROMANIAN DIPLOMATS"-

- IN THE NAME OF HUNGER STRIKERS. IM ASKING THAT YOU DO NOT GRANT ANYMORE THE " M.F.N" TO TERORIST PRESIDENT NICOLAE CEAUSESCU AND TO HIS COMMUNIST GOVERNMENT UNTIL " THE TEN POINTS" OF HUNGER STRIKERS WILL BE ACCOMPLISHED

1.- THERE WILL BE IMMEDIATE RELEASE OUR HOSTAGE RELATIVES!
2.- THERE WILL BE ISSUED IN COMMUNIST ROMANIA A" GENERAL AMNESTY" FOR POLITICAL PRISONERS AND FOR PRISONERS OF CONSCIENCE!
3.- THERE WILL BE ABOLISHED IN COMMUNIST ROMANIA THE CONFINEMENT TO " PSYCHIATRIC HOSPITAS" OF POLITICAL PRISONERS AND PRISONERS OFCONSCIENCE
4.- THERE WILL BE IMMEDIATE RELEASED FROM POLITICAL JAILS PROF.Dr. REVEREND GHEORGHE CALCIU DUMITREASA AND THE LEADER OF " ROMANIAN BORN AGAIN CHRISTIANS" ION PREJBAN AND THEY WILL BE GRANTED THE EXIT VISA.

5.- THERE WILL BE IMMEDIATE RELEASE FROM POLITICAL JAIL " GHERLA" THE FOUNDER OF " THE FREE UNION OF ROMANIAN WORKERS"-" S.L.O.M.R " VASILE PREDA AND HE WILL BE GRANTED " EXIT VISA" IN ORDER TO BE REUNITED WITH HIS PARENTS AND OTHER THREE BROTHERS LIVING IN NEW YORK!
6.- THERE WILL VE LEGALISED IMMEDIATELY WITH THE ROMANIAN JUSTICE DEPARTMENT " THE FREE UNION OF ROMANIAN WORKERS"-" S.L.O.M.R." - IN THE SAME MANNER IN WHICHWAS DONE WITH POLAND's " SOLIDARITY"!
7.-THERE WILL BE IMMEDIATE RELEASED FROM POLITICAL JAILS PSYCHIATRIC HOSPITALS AND FORCED LABOR CAMPS- THE.POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE.
8.- THE YEARS SERVED BY POLITICAL PRISONERS AND BY PRISONERS OF CONSCIENCE IN POLITICAL JAILS PSYCHIATRIC HOSPITALS AND FORCED LABOR CAMPS AND FORCED RESIDENCE-TO BE TAKE IN THE AMOUNT OF THEIR RETIREMENT AND PENSION PLANS OR IN THE ONES OF WIDOWED WIFES OR ORPHANED CHILDREN AS" YEARS SERVED INTO"WORK's FIELD"!
9.- THERE WILL BE RESTAURATED " THE HUMAN RIGHTS" IN COMMUNIST ROMANIA UNDER THE PERMANENT SURVEILLANCE OF A SPECIAL COMMISSION ON " HUMAN RIGHTS" OF U.N. ABOUT WHICH THE U.S. SENATE WILL ASK THE GENERAL SECRETARY OF U.N.THROUGH OUR USA'sAMBASSADOR TO THE U.N.!
1o.- THE U.S. CONGRESS WILL ASK BY OUR AMBASSADOR TO THE U.N. THAT THE UNITED NATIONS ORGANISATION TO STOP ANY KIND OF HELP AND COOPERATION WITH COMMUNIST ROMANIA UNTIL THE ABOVE " TEN POINTS" ON " HUMAN RIGHTS"WILL BE ACCOMPLISHED!

DOWN TERRORISM!
DOWN COMMUNISM!
LONG LIVE TO FREEDOM!
GOD BLESS AMERICA!

DGApostoliu
Dr. DIMITRIE G. APOSTOLIU

PRESIDENT
THE AMERICAN-ROMANIAN NATIONAL
COMMITTEE FOR HUMAN RIGHTS

Senator **Danforth**. The next witnesses are Ken Emerson, Lazlo Homas, and Michael Szaz.

STATEMENT OF REV. KEN EMERSON

Mr. **Emerson**. Thank you, Mr. Chairman.

This is my first appearance before any committee.

I appreciate very much the invitation to testify.

I am a Baptist minister. I am appearing here on behalf of Mr. and Mrs. Peter Rouseau, legal immigrants from Romania who are members of my congregation.

We have been attempting for 2 years to have their daughter, son-in-law, and grandson united with them here in the United States.

Applications for passport by Francis Crisba, his wife, Elana, and Patra were applied for in September 8, 1979.

I might add that our State Department, our Immigration people, Senator Dole, Senator Jackson and many others have been most helpful, have written letters and everything from our side, all papers are in order, reading to receive them on special immigration procedure.

They keep being told, the Crisbas, by the Romanian authorities, "Just wait."

Mr. and Mrs. Rouseau who are father and mother of Elana, signed their home and their small business, what property they had, to the Romanian Government, thinking that in exchange they would receive a passport for their daughter, son-in-law, and grandson.

Two years later, they still refuse to grant permission to leave.

Three weeks ago, Francis Crisba was fired from his job. His daughter, son-in-law, and grandson now rent their home from the Romanian Government. He is unemployed.

In my 20 years as a pastor, I have worked with immigrants from several nations of the world, and never in my life have I witnessed such delay.

I am sure that the MFN is certainly most favorable to the Romanian Government and I am sure that our Government wants to continue that, but I would urge the status be discontinued and use this as a handle until great improvement is made in the freeing of persons kept against their will.

Thank you.

Senator **Danforth**. Thank you.

Mr. **Homas**.

STATEMENT OF LAZLO HOMAS

Mr. **Homas**. Mr. Chairman, our group which was formed in 1976, to study and report on the situation of Romania's minorities, including 2.5 million Hungarians, opposes the continuation of MFN to that country for another year.

Though we have opposed this continuation at these hearings each year, for the past 5 years, our position has never been rigid or absolute.

Our opposition will continue and grow in strength, however, until Romania begins to show at least some concrete improvement in its treatment of national minorities.

In the meantime, what consistently struck us is a disappointing feature of the MFN renewal process, has been the air of unreality surrounding many of the assumptions upon which this subcommittee apparently bases its decisions.

Sitting in this room, for example, one often wonders at the source of some of the profound observations, delivered with great authority, as supposedly factual information about Romania.

In this room, for example, we have heard often about the dynamic economic program of the Romanian Government. But suddenly, we now learn that next to Poland, Romania is in the midst of the worst economic crisis in Eastern Europe.

According to a recent article published in Forbes magazine, and I quote, "The most profound reason businessmen give for continually stagnant Romanian economy is the effect of tyranny on the people."

On another score, entire hymns have been sung in this hearing room to Romania's supposedly innovative, maverick foreign policy.

What these hymm singers have failed to show, however, is any concrete improvement of this, any concrete achievement of this alleged independence, or whether it has meaningfully contributed to any foreign policy objective of the United States.

In contrast, it is known that the Romanians are the worst enemies of the Polish experiments in Eastern Europe and that ever since the Moscow Conference in December, of Warsaw Pact leaders, the Romanians have been telling the Soviet Line on this issue to the letter.

In this hearing room, we have also heard often about the splendid statesmanship of Romanian President Nicolae Ceausescu.

Such claims stand in ugly contrast to the Western European Press, however, which regularly labels him the most unattractive, distasteful, and anachronistic ruler in Europe.

During his recent visit to Scandanavia, for example, Ceausescu's boorish behavior and the incredible nepotism he practices at home earned him unanimous ridicule by the local newspapers.

Occasionally, even Romania's human rights record has been defended in this hearing room. The State Department, although it usually is unable to find anything positive in that record, at least praises the Romanian's willingness to discuss human rights issues.

Why not, as long as the Romanians, all they have to produce is more empty words and not show any meaningful improvement, why shouldn't they talk.

In the meantime, Europe's largest national minority, 2.5 million Hungarians, whose ancestors have lived there for 11 centuries, are systematically deprived of the opportunity to preserve their cultural identity, to educate their children in their native tongue, and generally to use all those cultural rights and liberties which we in this country take for granted.

Just as in the other Eastern European countries, the oppressed in Romania were encouraged by our country's increased attention during the 1970's to international human rights.

Numerous courageous individuals, in the Hungarian community, in Romania, raised their voices in open protest against the widespread pattern of ethnic discrimination.

A former alternate member of the party politbureau became known worldwide as the leading spokesmen of these Hungarian dissidents.

Since last year, however, his brother, Istra Kirli, a school teacher and historian, has joined him in breaking with the regime. He renounced his membership in the party because, according to him, and I quote, from a letter which he wrote recently and which is appended to my written statement,

> There is a wide chasm between the current practices of party leadership and the fundamental principles of the party, as evidenced primarily in the personality cult, the silencing of any good faith, constructive criticism and the total rejection of any sincere dialogue aimed at solving the nationality question on a basis of full equality.

Mr. Chairman, some people in the State Department have suggested that because of the events in Poland, the Congress should go easy on Romania.

Concern in this direction would be wholly misdirected. Romania has shown no sympathy for the events in Poland. Romania has nothing to do with that liberalization process.

On the contrary, the Romanian regime is the direct antithesis of what is happening in Poland today.

Mr. Chairman, for these reasons, I submit that whatever leverage we have vis-a-vis Romania not be used to prop up that archaic despot, Nicholae Ceausescu, but to encourage him to institute long overdue, meaningful reforms.

Thank you.

Senator **Danforth**. Dr. Szaz.

STATEMENT OF Z. MICHAEL SZAZ, PH. D., AMERICAN FOREIGN POLICY INSTITUTE

Dr. **Szaz**. Mr. Chairman, this is my 10th testimony either before the Senate Finance or the House and Ways and Means Committee on the subject of most-favored-motion status for Romania.

Since 1965, I followed the events in Romania, especially those relating to Hungarians and Germans. I visited the Transylvania region and Bucharest, in 1976, at the invitation of Ambassador Harry Barnes.

I returned in August 1978. So, I have had the opportunity to see things first hand, meet with their leadership of the Hungarian and German nationalities in Transylvania.

I will summarize my statement, because it is a little too long and I hope it will be included in the record.

The question of free immigration is not the only concern as far as Romania is concerned. Ever since 1958 and even more since 1974, the Romanian Government pursues a nationality policy which is clearly directed toward eradication of nationality, cultural, disposal and dilution of the remaining Hungarian enclaves in Romania and Transylvania, particularly the Szeklerland.

In addition, a salami tactic is applied since 1958 on the Hungarian language school sections in Transylvania.

Bilingualism, guaranteed by the Romanian Constitution is almost extinct, and the churches of the Hungarian and German nationalities, Roman Catholic, Lutheran and Reformed, are gravely restricted in their activities and administratively controlled by the Romanian authorities.

The situation created some internal dissent by 1977-78, which was, however, either "solved" by police measures, resulting in the suicide of one high school professor, Brasov or by the ostracism and harassment which Charles Kiraly, the former vice-chairman of the highest, but completely ineffective, Hungarian Federation of Workers expressed in his letters to Janos Vincze and Ilie Verdet, now the Prime Minister of Romania.

These letters, and also a letter in 1980, to Ilie Verdet were smuggled out and published in the Western press in 1978 and 1980, rendering Kiraly, after the emigration of Paul Goma, to be the foremost dissident in Romania whom I was forbidden to see on the 1978 trip.

The underlying basis for the Romanian policies are Romanian nationalism which is always directed against the Hungarians,—and in the past also against the Russians,—Romanian atheistic communism which cannot tolerate any, even halfway free churches in the country and last but not least, Communist centralism which fails to take the provincial and countrywide nationality differences into account.

As far as the education system is concerned, let me give you some of my personal impressions in 1976, and particularly in 1978.

I visited the former capital of Transylvania, Cluj. There is only one lycee left and new vocational schools that are either in the Hungarian language sections, mind you, where they are still existing, there are Romanian teachers, using Romanian textbooks with a Hungarian glossary or there are some Hungarian engineers, who have already forgotten the technical terms in Hungarian, and they are using Romanian textbooks as Hungarian glossaries.

I will again summarize. Again, there is a large Hungarian bloc in southeastern Transylvania, about three-quarters of a million people, almost all of whom, about 85 percent are Hungarians.

By now even the cities here have been completely saddled in with Romanians on the basis of industrialization, even though there is light industry and there are no Romanians and they have to be brought in.

There are many aspects I could elaborate. As far as the churches are concerned, I just want to mention one thing that both in 1976 and in 1978 I was allowed to visit with the Reformed Bishop of Cluj, not only in the presence of two Romanian diplomats, but even in the presence of the local ministry of Cults representative.

The other bishop is completely following party lines, the one in Oradea.

The State Department raised the issue sometimes to the Romanian Government which steadfastly denies any pressure. The State Department speaks of local accesses rather than the liberal policies.

To tell you the truth, in view of the evidence and in view of the fact that the competent American diplomat in Bucharest know better. This I am aware of through my personal conversations with them. I believe this has been due to the efforts of the Ford and Carter administrations to play down our differences with Romania.

Indeed, I hope that the present administration, while trying to cultivate correct relations with Romania, would not shy away from discussing human rights issues in Romania which are very pertinent to our dedication for these rights.

Thank you very much.

Senator **Danforth**. Thank you. sir.

[Statements follow:]

STATEMENT
BY THE
COMMITTEE FOR HUMAN RIGHTS IN RUMANIA

Supplementing the
Oral Testimony
of
László Hámos

on behalf of the
Committee for Human Rights in Rumania

before the
Subcommittee on International Trade
of the
Committee Finance
United States Senate

at Hearings

ON CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS WITH RESPECT TO RUMANIA

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JULY 27, 1981

FOREWORD

The state of Rumania contains an immense minority population consisting of 2.5 million Hungarians, 400,000 Germans and a sizeable number of Ukranians, Jews, Serbs, Greeks, Turks and others. The Hungarians alone comprise the largest national minority in Europe. Most of these peoples live in Transylvania which is one of Europe's most significant multi-ethnic regions. Were enlightened 20th Century standards applied, Transylvania could be a model for the coexistence of diverse nationalities in an atmosphere of mutual tolerance and understanding. However, under the rule of Rumania's current dictator Nicolae Ceausescu, nothing could be further from the truth.

For the past two decades this enormous minority population has been the object of a carefully planned, systematic and aggressive campaign of forced assimilation -- a campaign which amounts to cultural genocide. This outrage must be borne in addition to the usual intolerance and terror which affects the life of every citizen of a Communist state, regardless of ethnic origin.

Alarmed at the arrogant brutality of this campaign, young Hungarian-Americans gathered in February 1976 to form the Committee for Human Rights in Rumania, an organization which soon won support by all major associations of the approximately one million Hungarians in America. The Committee's objective is to alert the public opinion and political leadership of the United States to the gross discrimination and human rights violations against national minorities in Rumania.

We are encouraged by the wide-ranging response to our efforts during the past five years. Since the Summer of 1978 the world press and public opinion have awakened to the severe plight of these minorities, and U.S. Congressional support for effective measures against Rumania's discriminatory policies has grown.

Another important development is the ever-increasing number of reports and documents written and smuggled out of Rumania which provide irrefutable evidence of the government's campaign of forced assimilation. The Committee regularly receives and analyzes such primary source materials and has published a selection of dissident works in a volume entitled Witnesses to Cultural Genocide: First-Hand Reports on Rumania's Minority Policies Today (New York, 1979). Copies of this book have been widely distributed to Members of Congress, and the material it contains will be cited throughout the statement which follows.

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STATEMENT

The Committee for Human Rights in Rumania respectfully requests that the United States Senate, using the authority granted by section 402(d)(5) of the Trade Act of 1974, adopt a resolution disapproving the extension of the President's authority to waive the application of section 402(a) and (b) with respect to Rumania.

Our request is based on two grounds:

1. The President's message of June 2, 1981 recommending extension of the above waiver authority is deficient in fulfilling the requirements of section 402(d)(5) of the Trade Act.

2. The Rumanian government continuously and flagrantly violates norms of international law in its treatment of national minorities, which violations, according to the proper interpretation of section 402 of the Trade Act, mandate at least a temporary suspension of the trade benefits accorded to Rumania.

* * *

The Relevance of the Minority Question to the Jackson-Vanik Amendment

One obstacle facing us at the hearings conducted by this Subcommittee during the past five years has been an effort to restrict the human rights concerns of the Trade Act to as narrow a field as possible. Some Members of Congress have argued that the only right which the Jackson-Vanik Amendment intends to promote is freedom of emigration. There are others who have remained oblivious even to this right.

But the fact that the Amendment was intended to cover far more than simply one particular human right is obvious from its text. Section 402 of the Trade Act of 1974 clearly states its objectives in the first half-sentence: "To assure the continued dedication of the United States to fundamental human rights..." The section then defines the means for achieving these objectives as follows: nonmarket-economy countries are required to allow free emigration as a condition for the extension of trade benefits. The distinction between the means (requirement of free emigration) and the ends (fundamental human rights) is unmistakable.

This interpretation of the purpose of the Amendment is supported by grammatical evidence as well. The authentic language of the Trade Act uses the plural "objectives of this section" wherever such reference is made. Of the phrases "fundamental human rights" and "freedom of emigration," only the former is plural. The expression "objectives of this section" clearly refers back to the plural antecedent in the section, which is "fundamental human rights."

Even if it rejects this interpretation, the Subcommittee cannot support its reluctance to examine a broader range of human rights with the claim that it is merely following the letter of the law, which strictly limits its mandate. If that claim were true, the only business of these hearings would be to determine whether the continuation of the waiver will substantially promote the objectives of section 402. Nevertheless, and perhaps with good reason, the Subcommittee interprets its mandate far more broadly, as any observer of these hearings will attest. It receives testimony on political, economic and financial questions which fall completely outside the scope of section 402. The Administration, business, trade union and private witnesses who testify about such questions are given serious consideration, and questioned in areas wholly irrelevant to section 402. The Subcommittee, therefore, is acting entirely within its rights if it examines a broader range of human rights, beyond the right to emigrate -- especially since section 402 begins with the words, quoted above: "To assure the continued dedication of the United States to fundamental human rights..."

On the Right of Free Emigration

The United States is a nation of immigrants. The right of free emigration is held in very high esteem here. There is even a tendency to regard it as the most important of all human rights, the one which can be substituted for all others. The latter view, in our opinion, is severely distorted. We contend that the right to emigrate is merely a right of last resort; it is an escape chute to be used when all other measures to uphold human rights have failed. When people reach the point of clamoring to emigrate en masse from their homeland, there is clear evidence that deeper problems are to blame.

It should be noted here that the right of Jewish people to emigrate to Israel is unique in character and rationale. While they too are most often escaping persecution and undoubtedly experience difficulties in adjusting to a new environment, they still leave with the joyful idea of returning to their ancient homeland.

The situation of the national minorities in Rumania is entirely different. Hungarians have lived in this area of Eastern Europe for eleven centuries; this region is their homeland. Instead of allowing or urging or forcing them to leave, they should be aided in their struggle to use their own language, maintain their own culture, practice their own religion -- in short to gain some protection against discrimination and gross violations of their human rights.

Certainly, Rumania's burning human rights problems cannot be successfully tackled through the simple device of easing restrictions on emigration. Even for the remaining Jewish population, estimated between 50,000 and 100,000, this measure would provide only a partial solution. Those who wish to might be permitted to leave for Israel, but those who elect to stay are also entitled to protection to their cultural and religious rights.

The President's Message of June 2, 1981 Does Not Fulfill the Requirements of the Trade Act

The President's recommendation of June 2, 1981 falls short of satisfying the requirements of section (d)(5)(C) of the Trade Act. Specifically, the message does not show in sufficient detail the manner in which the proposed waiver will substantially promote the objectives of section 402 with respect to Rumania.

Even if the objectives of the section were restricted solely to the right of free emigration, the message fails to substantiate its claim. The rate of emigration from Rumania, especially to Israel, has remained clearly unsatisfactory according to Jewish organizations which monitor it closely. Moreover, Rumania's capricious behavior in the field of human rights during the past twelve months shows that the only lesson which the Rumanians learned from last year's extension of the waiver authority was that neither the Administration nor the Congress takes the objectives of section 402 very seriously.

In sum we maintain that the shortcomings of the President's recommendation in fulfilling the statutory requirements are serious enough to warrant its disapproval by the House of Representatives.

Continued Campaign of Harassment and Intimidation Against Károly Király

Since the Summer of 1978, instead of taking measures to improve the country's human rights record, the Rumanian government has waged a campaign of pressure and intimidation against Károly Király, a former high-ranking Party member who has become a fearless internal opponent of minority oppression. The official reaction to Király's moderate and reasonable efforts is highly indicative of the government's overall treatment of national minorities. Before turning to a point-by-point description of that treatment, a brief review of the Király case is in order.

During the Summer and Fall of 1977, Károly Király, a prominent Hungarian in the Rumanian Communist Party and, until 1972, an alternate member of its Politburo, wrote three letters to top Party leaders, describing government efforts to denationalize and forcibly assimilate the country's Hungarian minority of 2.5 million. Király cited a host of discriminatory and oppressive measures: the refusal to grant national minorities a representative voice in government, the implementation of "restrictive quotas" denying employment opportunities to minority workers, the forced elimination of schools and classes offering instruction in the minority languages, the "naming of non-Hungarian speaking, Rumanian mayors" in cities "inhabited predominantly by Hungarians," the prohibition on use of minority languages in public institutions and administrative offices, and a variety of restrictions on minority cultural expression.

In one of his letters, Király also assailed the "violence and torture" used against minority inhabitants and recalled that "the harassment of Jenő Szikszai, the eminent professor from Brassó, drove him to commit suicide." (Szikszai was one of the scores who fell victim to a brutal and bloody government effort carried out in the Spring of 1977; its aim was to silence Hungarian intellectuals in Rumania by "exposing" them as members of an allegedly chauvinistic conspiracy detrimental to the interests of the Rumanian state. See Letter to Ferdinánd Nagy, by Zoltán Zsuffa, in Witnesses to Cultural Genocide, pp. 179-182.)

Király's only remaining position in the government bureaucracy at the time he wrote his letters was that of Vice President of the Hungarian Nationality Workers Council. In March 1978 he was deprived of that position as well. In the past, he had held various positions as First Party Secretary in Covasna County and head of the People's Council there, member of the Party Central Committee and alternate member of the Politburo, member of the Grand National Assembly (parliament) and member of the Council of State, nominally the su reme body of state power in Rumania. At one of the high points in his career, in 1970, he was a member of the delegation which accompanied President Ceausescu to the Lenin Centenary Celebrations held in Moscow. His last post at the head of the Hungarian population's highest political organ gave him an excellent vantage point from which to assess the extent of minority oppression and the window-dressing nature of his own organization, which is supposed to represent the interests of the Hungarian minority.

Király wrote his first letter, dated June 2, 1977, to Ilie Verdet, the Politburo member responsible for ideological matters and, among others, for nationality policies. (Since that time -- on March 29, 1979 -- Verdet has been elevated to the position of Prime Minister.) In the letter, he outlined the shallowness of his organization's activities, charged the government with hypocrisy in its official pronouncements that "the nationality question has been solved" and presented his own recommendations in 12 points.

Having failed to receive any response for several months, Király followed up with letters to two top Party leaders. The first was sent in August to János Fazekas, another Politburo member, and the second on September 10 to János Vincze, a member of the Central Committee. The tone of these subsequent letters was more bitter, and the charges contained in them embraced the government's entire policy toward national minorities.

In early October 1977, Király was summoned to Bucharest. Instead of dealing seriously with the constructive proposals he had included in his letters, the Party leaders subjected him to a barrage of intensive, police-style interrogations. He was accused of having no faith in the Party leadership and was pressed to reveal the names of his "collaborators." Finally realizing the futility of his well-meaning and constructive criticism, he consented to the publication of his letters in the Western media.

During the last week of January 1978, reports of Király's protest appeared in major newspapers throughout the world. Never in recent memory had this issue received such concentrated attention. The reaction of the Rumanian regime was predictable and swift. Instead of implementing long overdue reforms, it initiated a new campaign of terror. For several weeks Király's home town resembled an armed camp, with plainclothesmen, armed militiamen and armored cars stationed on every street. Király himself was threatened with death and with the killing of his infant child. He was pressured to disavow his letters and denounce them as "fabrications of the CIA and Radio Free Europe." Király held his ground with great courage and refused to withdraw his protest. As a result, in February he was exiled from his home town of Tirgu Mures (Hungarian Marosvásárhely) to the small town of Caransebes (Hungarian Karánsebes). Despite strict instructions to the contrary, on March 1, 1978 he granted an interview to three Western correspondents during which he reiterated his protest, supplementing it with further details about the reaction of the regime. In return, the Rumanian secret police prohibited Király from receiving any further visitors.

In October 1978, after threatening that he would apply to emigrate, Király was allowed to return to his home town. He has lived there since then, under close police surveillance. According to his own account, he is constantly harassed and intimidated by the authorities. He has been isolated from his friends, who are themselves subjected to severe questioning about him and threatened against trying to approach him. He is thus a virtual prisoner in his own home. Once, in the Fall of 1978, the window of the car in which he was riding was shattered by a gunshot. Though probably not an assassination attempt (Western interest in his case is still too intense), it was undoubtedly another effort to further intimidate him.

Unfortunately, the isolation and harassment, but especially his anxiety over the safety of his wife and small child, are taking their toll: according to medical reports, Király's health deteriorated significantly. The Rumanian government, not feeling sufficiently secure to eliminate Király outright, adopted the tactic of slowly nudging him toward a "natural death." Király in the meantime, remained steadfast in refusing to compromise or abandon his principles. "I don't care if they make salami out of me, I still won't give up my thankless struggle," he wrote in a May 1979 letter. "But let them truly solve the problems and then I will be ready to write even a hundred articles withdrawing my protest." Realizing the seriousness of his position, Király ended the letter with the chilling comment that if the authorities in Bucharest find it impossible to spare his life, "all I ask is that they allow my family, my relatives and my friends to go on living."

On February 10, 1980 Károly Király sent another powerful letter of protest to Prime Minister Verdet. (An English-language translation of the letter is attached to this testimony as Appendix A, and a London Times article concerning the letter is annexed at Appendix, p. D-1.) In the letter Király revealed that following his initial protest in 1977, Verdet admitted that the Party had committed "mistakes" in the treatment of the minorities. In an obvious attempt to silence Király, Verdet promised to see to it that remedial steps would be instituted. After waiting two years for the implementation of these measures, Király now concludes that the Party leadership has broken its word and that "I am now compelled by these broken promises to raise this question again" (Appendix, p. A-1). In his letter he again summarized the list of major abuses which Rumania's minorities suffer.

Since last year Király's health has deteriorated further. Due to his understandable mistrust of physicians in Rumania -- who are all government employees -- Király has repeatedly applied for permission to travel abroad to obtain medical treatment and also to visit relatives in Hungary, East Germany and West Germany. (Annexed to this statement as Appendix B is an English translation of a July 8, 1980 letter by Király, recounting his persistently frustrated efforts to obtain the necessary travel documents.) According to latest reports, he has still not been granted a passport, and he continues to live under close police surveillance.

Károly Király, an individual of rare personal courage, has sacrificed his career and risked his well-being and perhaps his life, to express the plight of his 2.5 million fellow Hungarians in Rumania. Having spent many years in positions which enabled him to closely observe the Rumanian system, there can be no doubt about the authenticity of his charges. The persistent effort to ignore the issues he raised and to concentrate instead on silencing the source of protest serve as further damning evidence of the Rumanian goverment's callous disregard for human rights.

Since the initial Király protest, other knowledgeable and high-ranking sources within Rumania have also verified the existence of severe minority oppression. On April 24, 1978, the existence of three further protest documents written by prominent members of the Hungarian minority was revealed to Western journalists. First, a 7,000 word memorandum, including 18 separate demands for improved minority rights, had been prepared by Lajos Takács, professor of international law, candidate member of the Party Central Committee and -- as was Király before his removal in March -- Vice President of the Hungarian Nationality Workers Council. (As a result of his protest memorandum, in November 1979 Professor Takács was removed from his Party post. For a translation of the memorandum by Professor Takács, see Witnesses to Cultural Genocide, pp. 145-161.) Another protest, focusing on curtailment of Hungarian-language opportunities, had been sent by András Sütő, the best-known writer of the Hungarian minority and also a candidate member of the Central Committee. Finally, it was reported that János Fazekas, who as Deputy Prime Minister is the highest-ranking Hungarian minority official in Rumania, had also issued a personal appeal calling for improvements in nationality policies.

During the past twelve months, Károly Király's brother István Király has also joined the ranks of active Hungarian dissidents in Rumania. As recounted in his letter to the Bucharest Party leadership (see Appendix C), last July he renounced his membership in the Party, stating at the time (Appendix, p. C-1):

> There is a wide chasm between the current practices of the Party leadership and the fundamental principles of the Party, as evidenced primarily in:
>
> - the personality cult;
>
> - the silencing of any good-faith, constructive criticism; and
>
> - the total rejection of any sincere dialogue aimed at solving the nationality question on a basis of full equality.

As in the case of his brother, government retribution against István Király was swift. By last Fall he had lost his job at the local branch of the State Archives in Miercurea Ciuc (Hungarian: Csikszereda). Because he was no longer a Party member, he was denied employment even as an elementary school teacher. Since his troubles began, he has been supporting his family by performing odd jobs, and he is subjected to constant police harassment.

The True Nature of the Ceausescu Regime Versus Its "Public Relations" Image

Faced with mounting protests, Rumanian President Nicolae Ceausescu has consistently reverted to his standard cure-all: more propaganda. But, as Károly Király has noted, the flowery verbiage is merely a device used to cover up gross deficiencies (Letter to János Vincze, in Witnesses to Cultural Genocide, p. 174):

> these beautiful speeches, incorporating so many sound principles were not made for our sake, but to serve the purposes of propaganda, especially propaganda directed abroad...the chasm between theory and practice is vast and in reality while one thing is said, entirely different things are done.

Why has Ceausescu chosen to generate massive, new doses of propaganda instead of implementing even the most minimal reforms? Though simple, the answer is saddening: thus far, such propaganda has proved more effective. Until recently, the impact of sly misinformation, designed to cover up vast deficiencies, has had a remarkable effect in disarming the American media and many Members of Congress. According to an American scholar of Rumanian origin (Vladimir Socor, "The Limits of National Independence in the Soviet Bloc: Rumania's Foreign Policy Reconsidered," Orbis, Fall 1976, p. 729):

> The phraseology of independence has also been ingeniously manipulated by Bucharest leaders to modify the image of their regime abroad. The endeavor has proven largely successful, as the pretense has often been accepted at face value. In lieu of substantiation by actual policies, the nationalistic rhetoric, along with leaks and "confidences" elaborately disseminated by Bucharest to the Western press, officials and ranking visitors, have been accepted as evidence of an independent foreign policy. Thus rhetoric and a sustained policy of misinformation have combined to erase the satellite image and build the new image of a "national Communist" regime striving for independence from Moscow. As a result the West has afforded Bucharest, through exchanges of official visits and favorable publicity, an international respectability unprecedented for a communist government. The regime has succeeded in eliciting international and particularly Western acceptance as a substitute for the internal legitimacy eluding it.

Nicolae Ceausescu of course has not renounced a single tenet from the worn-out and disgraceful book of Marxism-Leninism. He operates an old-fashioned Stalinist dictatorship, maintaining all the usual paraphernalia, including an omnipresent secret police and an insanely promoted personality cult. By placing his wife on the ruling Politburo and at least a dozen other family members in leading positions of political power, Ceausescu has broken all records for nepotism, even in the Communist world (see, inter alia, "All in the First Family," Time, April 30, 1979).

Ceausescu's most elaborate public relations myth -- his "independent" foreign policy -- deserves further attention here. Mr. Ceausescu is not independent, he simply has a longer leash than the other East European puppets. As Rumania is "landlocked" by other Communist countries, the Soviet Union could safely withdraw its troops in the late 1950's with no danger of losing Rumania to the West. The absence of Soviet troops gives Ceausescu some room to maneuver. But he knows how far he can go, and Leonid Brezhnev knows that he knows. Rumania's "independence," therefore, is due to geographic and political factors over which it has little control, rather than to any real tendencies toward liberalization. Continuously, and with remarkable success, President Ceausescu has employed a scheme of making Rumania's "independence" appear to be the result of his own valiant efforts, rather than the given geo-political situation, thus pulling the wool over Western eyes.

Ceausescu's unbridled megalomania, his irresponsible economic policies and his police state methods, however, are becoming increasingly evident. As reported widely in the Western media, Rumania faces a very serious economic crisis coupled with a severe food crisis. According to a recent article in Forbes magazine ("A Balkan Despotism," May 11, 1981, pp. 131-36) for example, food stands at the markets are "depressingly bare," and the sight of 500 Rumanians waiting in line for eggs is not extraordinary. The Forbes reporter, it appears, had keener eyesight than some Members of Congress and the State Department, in placing Ceausescu's alleged independence in proper focus (ibid., p. 131):

> The price for this leeway: Ceausescu has rendered unto Moscow a brutally repressive -- but loyal and secure -- police state, one that now shows signs of the kind of economic decay that has afflicted Poland in the last two years.

The reporter goes on to make the connection between the Ceausescu policies and the present crisis even more explicit (ibid., p. 136):

> But the most profound reason businessmen give for a continually stagnant Rumanian economy is the effect of tyranny on the people. After 30 years of living under the threat of exile, jail or execution for political or economic 'deviation,' the Rumanian has become adept at avoiding the very initiative and responsibility Ceausescu is now demanding.

A chronically short-sighted U.S. foreign policy establishment, together with those Members of Congress who formed a virtual cheering section for this lunatic despot, must now share the responsibility for the crises befalling Rumania. Instead of using available leverage to encourage meaningful economic reforms and internal liberalization, the United States has steadfastly convinced Ceausescu that he can substitute favorable coverage in the world press for bread and at least some measure of freedom for his people.

Minority Oppression Is a Matter of International Concern Per Se

As a consequence of the rearrangement of East Central Europe's borders following World War I, there are now 2.5 million Hungarians and 400,000 Germans living in Rumania. Specifically, these nationalities are concentrated in the region known as Transylvania, of whose population they form about forty percent.

Rumania's national minorities are, of course, subjected to the same general suppression of freedoms as all the other inhabitants of that country. Their situation however is made much more grave by the additional burden of a systematic and increasingly aggressive campaign of forced assimilation amounting to cultural genocide.

Due to the presence of sizeable indigenous minority populations within its borders, Rumania is one of those countries to which Article 27 of the United Nations Covenant of Civil and Political Rights applies. Despite ratification of this Covenant by Rumania, its minority policies stand in clear violation of Article 27, which provides:

> In those States in which ethnic, religious or linquistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

Other international agreements which are regularly violated by Rumania in its treatment of national minorities are the International Convention on the Elimination of All Forms of Racial Discrimination and the UNESCO Convention against Discrimination in Education, both signed and ratified by Rumania.

Measures used to oppress nationalities in Rumania also violate those provisions of the Helsinki Agreement which prohibit discrimination on the basis of national origin and provide for the positive support of regional cultures and national minorities. (See: Rumania's Violations of Helsinki Final Act Provisions Protecting the Rights of National, Religious and Linguistic Minorities. Study prepared by the Committee for Human Rights in Rumania for the Conference on Security and Cooperation in Europe, Madrid, 1980-81. New York, 1980.)

As a matter of course, human rights violations are a subject of international concern; when the expression "human rights" is uttered, it automatically falls within the framework of international law. Moreover, through its own ratification of the agreements mentioned above, Rumania has rendered itself further accountable to international scrutiny.

Rumania's treatment of its national minorities, therefore, can in no way be construed as a matter of purely internal concern to that country. The United States has every legal basis to insist on the restoration of fundamental rights to the minority populations of Rumania.

Before turning to the individual elements of Rumania's abusive minority policies, it must be pointed out that those elements cannot be properly viewed as distinct or isolated infractions. They form instead, the interrelated components of a well-planned and systematically executed campaign to eliminate Rumania's national minorities through forcibly assimilating them into the dominant nationality. The whole then, is equal to far more than the sum of its parts. The proper term for a program of this nature is cultural genocide.

This expression is by no means an exaggeration. In 1948, the United Nations Ad Hoc Committee on Genocide formulated a draft definition of the concept of cultural genocide (U.N. Doc. E/447). Regardless of the fact that the final text of the Convention of the Prevention and Punishment of the Crime of Genocide did not incorporate this definition, the Rumanian government is not absolved of the fact that its behavior exactly corresponds to several elements of the definition.

GENERAL CHARACTERISTICS OF THE OPPRESSION OF MINORITIES IN RUMANIA

With respect to a proper investigation of discrimination in Rumania, lofty guarantees of minority rights in the Rumanian Constitution serve to obscure more than they enlighten, since they are not observed. Article 22 for instance prescribes that

> In territorial-administrative units also inhabited by population of non-Rumanian nationality, all the bodies and institutions shall use in speech and in writing the language of the nationality concerned and shall appoint officials from its ranks or from among other citizens who know the language and way of life of the local population.

The sole difficulty with the above section is that it is completely disregarded. According to Károly Király (Appendix, p. A-3):

> In the administration of justice, the state organs, etc., the only language permitted is Rumanian. In meetings of the Party, the trade unions, the Communist Youth League, as well as in meetings of industrial and agricultural workers, all presentations are made in the Rumanian language, even where the overwhelming majority of the audience is not Rumanian. The Rumanian language remains in use even at meetings of the Nationality Workers Councils.

* * *

The failure to observe constitutional and other legal guarantees is one characteristic feature of minority oppression in Rumania. According to George Schöpflin (The Hungarians of Rumania, London: Minority Rights Group, Report No. 37, August 1978, p. 9):

> Another factor of relevance, which is common to all communist societies, is the existence of internal regulations, usually kept secret, which may directly contradict the formal rights entrenched in the Constitution. In Rumania, these internal regulations (dispozitii interne) are widely employed in the field of nationalities policy.

Another major component is the absolute refusal to allow the minorities any role even vaguely resembling the conditions for self-determination, autonomy or independent decision-making. Although there are officials of minority extraction at every governmental level, they are permitted no meaningful voice in representing their own ethnic groups.

The Hungarian Nationality Workers Council was established in 1968 as the only body permitted to serve the interests of the Hungarian minority. But the very text creating this Council exposes it as an instrument of the State, acting to undermine minority interests. The Council's stated purpose is

> to assist the Party and the State, on both the central and local levels, in mobilizing the nationalities to assume their responsibilities in the building of socialism, in researching particular questions concerning the respective populations and in implementing the nationality policies of the Party.

Károly Király, Vice President of the Council for 10 years (until his removal in March 1978), has furnished ample evidence of the Council's abject ineffectiveness. In his letter of February 10, 1980, for example, he writes (Appendix, p. A-3):

> As regards the Nationality Councils, their activities are determined exclusively by orders from above. These Councils do not represent the interests of the nationalities. The people belonging to these nationalities cannot participate in the activities of the Councils, and do not elect Council members. The local authorities and the Party Central Committee appoint them. The Party uses these Councils to enforce its own discriminatory nationality policies.

But let us look further into this matter. We find that Hungarians are proportionately represented, but only in those State and Party organs which are not allowed to exercise any real power, such as the showcase "Grand National Assembly" (Rumania's excuse for a parliament) and the 500 member Party Central Committee. Hungarians are virtually excluded from any body which is granted an effective role in matters affecting their own interests. Of the seven secretaries of the Party Central Committee (the holders of real power aside from Ceausescu), not one is of minority origin. Indeed, the Secretary for Nationalities in the Party Central Committee cannot speak any minority language, only Rumanian. The entire Department of Culture contains only a "Bureau" of Nationalities, which is expected to serve all the cultural needs of all the minorities. Its chief activity is the exercise of censorship over the cultural life of the minorities.

On the county level, the ineffectual People's Councils and Party Committees by and large do maintain proportional representation. But where the real power lies, within respectively, the 7-11 member Executive Committees and Party "Bureaus," Hungarians are grossly underrepresented. Indeed, in several heavily Hungarian populated counties such as Banat, Arad and Maramures (Hungarian Máramaros), they are completely excluded from the Party "Bureaus." "In the same way," Károly Király pointed out, "it is nothing new that in cities where the majority of the population is Hungarian -- such as Nagyvárad, Marosvásárhely, Szováta, etc. -- Rumanians who speak no Hungarian are being appointed as mayors" (Letter to János Vincze, in Witnesses to Cultural Genocide, p. 175).

* * *

Another ingenious method for compelling minorities to assimilate can be found in the structure of cultural institutions in Rumania. Independent minority institutions, even at the lowest levels, have been virtually eliminated. The Hungarian university in Cluj (Hungarian Kolozsvár), for example, was made a section of its Rumanian counterpart; Hungarian schools have been merged into Rumanian schools as sections; four out of the six formerly independent Hungarian theaters are now just sections of Rumanian theaters; and so on. The purpose of such arrangements is to deny the existence of a distinct Hungarian nationality, culture or language. Even the expression "national minority" is not tolerated in official publications. The minorities are referred to in official documents as "co-inhabiting nationalities," thereby implying their dependent status vis-à-vis the Rumanians who are, by implication, the only legitimate inhabitants.

* * *

A further characteristic of minority discrimination is the official policy that this problem simply does not exist. In Rumania, "there is continuous repetition of the proposition that the nationality question in our country has been finally, once and for all, solved" (Letter from Károly to Ilie Verdet, dated June 2, 1977, in Witnesses to Cultural Genocide, p. 170). While some discussion, and even occasional concessions are allowed concerning other social, economic and political questions, the situation of the minorities is a forbidden subject (ibid., pp. 166-167). Still less is it permitted to propose any improvement in this area. The only task is to combat "nationalism" (meaning, of course, minority nationalism) and to neutralize the "troublemakers." According to Király, who has himself experienced the dire consequences of such "troublemaking", "unpardonably extreme methods of intimidation are employed against those who dare to ask for permission to speak in the interest of having the nationality question handled legally and in accordance with the Constitution" (Letter to János Fazekas, ibid., p. 171). In this way, any demand or complaint concerning minority conditions is wholly ignored, or, in Király's words, "killed by persistent silence" (news article in Dagens Nyheter, Stockholm, March 2, 1978).

* * *

Coupled with this official disregard is another general feature: the absence of any effective, legal remedy against abuse. Article 17 of Rumania's Constitution and Section 247 of Rumania's Criminal Code, which forbid discrimination on the basis, inter alia, of national origin, are never enforced in criminal trials.

This deficiency clearly violates the International Covenant on Civil and Political Rights which states (Article 2, Section 3):

> Each State party to the present Covenant undertakes:
>
> (a) to ensure that any person whose rights and freedoms as herein recognized are violated shall have an effective remedy notwithstanding that the violation has been committed by persons acting in an official capacity;
>
> (b) to ensure than any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
>
> (c) to ensure that the competent authorities shall enforce such remedies when granted.

It would, of course, constitute a patent contradiction for the Rumanian regime to observe these provisions and to prosecute officials under Section 247 of the Criminal Code; such officials would have to be punished for faithfully executing the policies of the Rumanian Party and State. Király has noted this lack of protection on several occasions. In his letter of February 10, 1980, he stated (Appendix, p. A-2):

> An extremely burning issue is the total lack of protection of the collective rights of Rumania's national minorities, whether the nationality group is large, as in the case of the Hungarians and Germans, or small as in the case of the Serbs, Russians, Turks, Bulgarians, etc. None of them enjoy collective rights.
>
> This lack precipitates the dissolution of ethnic communities and renders their members increasingly defenseless against the policies of forced assimilation.

* * *

A final overall characteristic of forced assimilation in Rumania is the centrally coordinated fashion in which it is carried out.

The facts concerning minority oppression are too well documented for the State Department to continue denying them, as it did for a number of years. Instead, in an effort to dilute the impact of these stark facts, the State Department has recently taken to arguing that while minority cultural opportunities may be "limited" in some cases, this is due largely to local abuses, and minority discrimination is not an official "policy" of the Rumanian government.

In a tightly controlled, highly centralized state such as Rumania, however, it is nonsensical to argue that the existing pattern of anti-minority abuses could possibly occur without the consent and approval of the central leadership. Moreover, almost without exception these abuses occur in those areas of _official_ activity which are _within the authority of the central government_, even in a formal sense (e.g.: confiscation of Hungarian books by customs officials at border crossings, elimination of universities, publication of official history textbooks denigrating the role of minorities, etc.).

Nevertheless, as if to dispel any lingering doubt concerning this question of government "policy," on May 8, 1981 Rumanian President Nicolae Ceausescu delivered a virulent anti-minority speech, in effect blaming Hungarians for the woes visited upon the Rumanian nation. Even the normally cautious analysts at Radio Free Europe were unnerved by the tenor of the speech ("Ceausescu Delivers Nationalistic Speech" in RFE-RL Situation Report, Rumania/9, May 12, 1981, p. 7):

> The surprising element in Ceausescu's speech, however, was the nationalistic, chiefly anti-Hungarian tone of the initial, historical part of the address, a slant for which there is no readily discernible need in marking the party's birthday.

According to the same analysts, a probable explanation for Ceausescu's harangue was an effort to "use the old device of distracting people's attention from domestic problems by whipping up national antagonisms" (_ibid_., p. 8).

In turning now to the list of individual human rights violations against minorities in Rumania therefore, it is advisable to ponder not only the substance of the given violation, but also to examine the manner in which it fits into the comprehensive pattern of minority oppression, interacting with and serving to reinforce the other elements of this reprehensible campaign.

Numerous primary sources will be cited in the discussion which follows. These works have been published by the Committee for Human Rights in Rumania in the book mentioned in the Foreword, entitled *Witnesses to Cultural Genocide: First-Hand Reports on Rumania's Minority Policies Today*. The documents from this book to be cited are the following:

	Pages
"Methods of Rumanianization Employed in Transylvania," by Anonymous Napocensis	57-87
"Memorandum," by György Lázár	88-144
"Memorandum," by Lajos Takács	146-161
"Letter from Károly Király to Ilie Verdet," dated June 2, 1977	163-170
"Letter from Károly Király to János Fazekas," written in August 1977	171-172
"Letter from Károly Király to János Vincze," dated September 10, 1977	173-178
"Letter from Zoltán Zsuffa to Ferdinánd Nagy," dated July 31, 1977	179-182

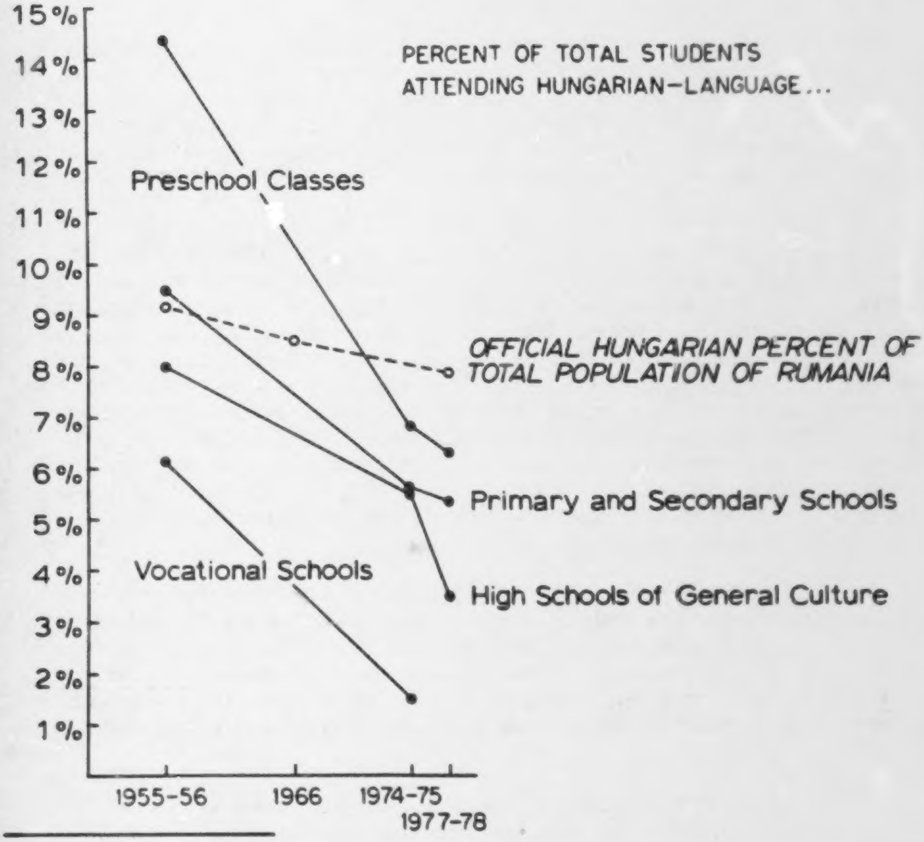
SPECIFIC ELEMENTS OF THE OPPRESSION OF MINORITIES IN RUMANIA

1. Discrimination in Elementary and High School Education

Official Rumanian statistics indicate that of all pupils attending preschool institutions in Rumania, the proportion of those allowed to be educated in Hungarian dropped by over 50 percent from 14.4% in 1956 to 6.3% in 1978. The same proportion for primary and secondary school students fell from 9.5% to 5.4%, and for high school students from 8.0% to 3.5%. The total decline in the above categories was from 10.0% to 5.3%. The percentage of students attending Hungarian vocational school dropped from 6.1% in 1956 to 1.5% by 1975. These percentages and the figures used to compute them are shown in the table and graph which follow. (The sources for both are Rumanian government propaganda booklets: The Hungarian Nationality in Romania, Bucharest, 1976, pp. 15-17; and A Living Reality in Romania Today; Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities, p. 15.)

	1955/1956	1974/1975	1977/1978
Preschool Education			
All Students	275,433	770,016	837,884
In Hungarian Classes	39,669	52,765	52,580
Percent in Hungarian Classes	14.4%	6.8%	6.3%
Primary and Secondary Education			
All Students	1,603,025	2,882,109	3,145,046
In Hungarian Classes	152,234	160,939	170,945
Percent in Hungarian Classes	9.5%	5.6%	5.4%
High Schools of General Culture			
All Students	129,135	344,585	813,732
In Hungarian Classes	10,370	19,050	29,028
Percent in Hungarian Classes	8.0%	5.5%	3.5%
Vocational Education			
All Students	123,920	615,876	
In Hungarian Classes	7,585	8,974	N/A
Percent in Hungarian Classes	6.1%	1.5%	

OPPORTUNITIES FOR HUNGARIAN-LANGUAGE EDUCATION AT THE ELEMENTARY AND HIGH SCHOOL LEVELS IN RUMANIA *



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* SOURCES: The Hungarian Nationality in Rumania (Bucharest, Rumania: Meridiane Publishing House, 1976), pp. 8, 15-17.

A Living Reality in Romania Today: Full Harmony and Equality Between the Romanian People and the Coinhabiting Nationalities (Bucharest, Rumania, 1978), p. 15.

These official Rumanian statistics indicate that while 25 years ago the number of students allowed to attend Hungarian classes was roughly proportionate to the size of the Hungarian population, the above figures show an alarming decline. Attendance in Hungarian classes has fallen in each category far below the levels which even the official population statistics would warrant.

How has this drastic result come about? The process by which the Rumanian government eliminates Hungarian schools began in 1959. Since that year, independent Hungarian schools have been systematically attached to Rumanian schools as mere sections, which sections, in turn, have been gradually phased out. The process of totally eliminating these Hungarian sections was legitimized by enactment of the clearly discriminatory Decree/Law 278 (May 11, 1973).

This unprecedented piece of legalized discrimination required the presence of a minimum quota of 25 students at the grade school level and 36 students at the high school level in order to maintain or establish a class in one of the minority languages. (Prior to the issuance of the Decree, this quota had been 15 students.) If a given Hungarian community contained, for example, 24 Hungarian students for a given elementary school class, these children were forced to complete their studies in the Rumanian language. As most villages in Transylvania have only between 500 and 1000 inhabitants, the number of Hungarian students very often fell short of the required quota, and the Hungarian classes had to be terminated. Once a school was thus forced to become Rumanian, use of the Hungarian language was forbidden, even during recess.

What made this Decree still more offensive was that the provisions applicable to Hungarians and other minorities did not apply to Rumanian sections or classes in areas inhabited predominantly by Hungarians. In such towns or villages, a Rumanian section had to be maintained regardless of demand (i.e. even if a given Hungarian village contained only one Rumanian student). The wording of Decree/Law 278 made this requirement perfectly clear:

> In those communities where schools function in the language of the coinhabiting nationalities, Rumanian language sections or classes shall be organized regardless of the number of students.

In 1973, after the issuance of Decree/Law 278, Hungarian sections and schools were eliminated in many villages. Parents attempted to compensate for the loss by arranging at their own expense for rented buses to take their children to the nearest village which still had a Hungarian school. This practice, especially widespread in the counties of Harghita (Hungarian Hargita) and Salaj (Hungarian Szilágy), was soon recognized and summarily terminated by the State, citing the pretext of a "gas shortage."

As students were prevented from being bused to nearby Hungarian schools, the sole remaining alternative would have been to send them away to live at the nearest Hungarian boarding school. The State, however, allowed boarding facilities for Rumanian schools only. This example illustrates the manner in which assorted discriminatory techniques are cleverly intertwined. Their effect is absolute: in the many heavily Hungarian populated, but small communities where the number of Hungarian children fell short of the required quota, those children were left with no other option but to attend a Rumanian school. The school may have been located within the community or, if the community was too small, it may have been a boarding school in a larger town, but in either case the State made certain that it was a Rumanian school.

On December 21, 1978, a new Law on Education and Instruction was enacted (see Buletinul Oficial No. 113, December 26, 1978), which technically supersedes Decree/Law 278 cited above. The new law, however, not only failed to address or rectify the discriminatory practices instituted under Decree/Law 278, but has in actuality facilitated a continued worsening of the situation. Devoting less than 2% of its text to the education of minority children, the law is confined to general and repetitive provisions and does not detail the conditions under which children can study in their native tongue. In practical terms, therefore, the prior discriminatory rules of Decree/Law 278 have been allowed to remain in full effect -- as modified perhaps by the cobweb of secret administrative and Party directives which exist parallel to and often supplant the published regulations. According to latest reports, the elimination of Hungarian sections and classes continues unabated up to the present time.

Another indication of the continuation of this process is contained in a recent report by László Lőrincz, State Secretary in the Ministry of Education and Instruction, on education in minority languages (published in Invatamintul Liceal, Bucharest, September 1979). According to the figures he cited, 7,503 faculty members "from the ranks of the coinhabiting nationalities" are constrained to teach in Rumanian schools or sections.

Even falsified government statistics can no longer conceal the facts about the rapidly shrinking educational opportunities for Hungarian youngsters. According to official data (A Hét - Évkönyv [Yearbook of the newspaper The Week], Bucharest, 1979, p. 43), in the 1978-79 academic year only 3.8% of students in secondary schools of any kind were able to take at least some of their courses in Hungarian. This figure represents less than half of the proportion of Hungarians to the total population, even according to the doctored official census data. In some fields, the percentage is worse still. In secondary schools training medical personnel, for example, it is only 0.3%, despite the fact that the ability to communicate with patients in their native language is often a matter of life or death.

Even in the remaining Hungarian schools and sections, not just the Rumanian language, but the subjects of literature, geography and history must also be taught in Rumanian. In many Hungarian sections, there are so many Rumanian-language courses that the section is Hungarian in name only. This is especially the case in Hungarian vocational and technical school, where only Hungarian literature and physical education are actually taught in Hungarian.

Moreover, even in Hungarian classes, textbooks are not necessarily written in Hungarian, as revealed in a speech by László Lőrincz (see transcripts of *The Joint Plenary Session of the Hungarian and German Nationality Workers Councils*, Bucharest, March 13-14, 1978, p. 67). According to this speech, textbooks are considered appropriate for use in Hungarian classes even though they may contain only a glossary in Hungarian, but are otherwise written completely in Rumanian. Under such circumstances, to what degree can even a nominally Hungarian class actually conduct studies in Hungarian?

The lack of Hungarian-language classes has been reported by the distinguished Swiss daily *Neue Zürcher Zeitung* (in that newspaper's comprehensive survey: "Rumania's Controversial Minority Policy," April 8/9, 1977, p. 3):

> In technical high schools, if a Hungarian student is to advance, he must take mostly those courses offered only in Rumanian. There is no possibility whatsoever of obtaining a higher education in the technical fields in Hungarian.

In trade schools, only the simpler trades are taught in Hungarian. Thus, studies in Rumanian are necessary for advancement into the more highly developed technical fields such as electronics, information technology, medical technology, and industrial chemistry. In 1973-74, for example, of the 174 first year classes entering the trade schools in Cluj (Kolozs) county, only two (!) were Hungarian, one in textile manufacturing, and the other in the construction industry. Such was the case in a county where, as noted above, even according to official Rumanian statistics 26.1% of the population is Hungarian. ("Memorandum," by György Lázár, in *Witnesses to Cultural Genocide*, p. 126.)

Matters took a sharp turn for the worse after the Fall of 1976 when a drive was initiated to reorganize Rumania's entire educational system, placing greater emphasis on technical and vocational training, and reducing the number of high schools, or lyceums, which provide instruction in the liberal arts. As an outgrowth of this drive, Hungarian lyceums which had been in continuous existence for the past 300-400 years in such cities as Oradea (Nagyvárad), Cluj (Kolozsvár), Tirgu Mures (Marosvásárhely), Odorheiul-Secuiesc (Székelyudvarhely) and Tirgu Secuiesc (Kézdivásárhely) have been summarily eliminated, while the language of instruction in the new schools is almost exclusively Rumanian.

The latest victim of this wanton destruction of the Hungarian school system may be the last remaining Hungarian general high school in Cluj (Kolozsvár). In 1979 this school celebrated its 400th year of continuous existence, and it is the last of 19 similar schools which existed at the time of the Communist takeover. Last December, city inhabitants learned that the Rumanian authorities plan to eliminate this 402-year-old Hungarian institution and turn it into a trade school.

The impact of this drive was already felt during the 1976-77 academic year: of the 34,738 total number of Hungarian secondary school students, 15,591 were constrained to attend schools in which the technical subjects were taught in Rumanian only ("Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, p. 149). And, as Károly Király pointed out, the situation has deteriorated despite official pledges to the contrary ("Letter to János Vincze," in Witnesses to Cultural Genocide, p. 174):

> We were promised new secondary vocational and technical schools in which studies were to be conducted in the languages of the nationalities, but in reality we have witnessed a decline in the number of these schools. Each year there are fewer and fewer of them. Children cannot study in their native tongue; compulsory instruction in the Rumanian language has been introduced even at the kindergarten level.

Despite the numerous protests of Király, Takács and others, the situation has failed to improve. As Király writes in February 1980 (Appendix, p. A-2):

> In the area of education the opportunity for children to study in the native tongue has narrowed even further. Classes in the native tongue have been eliminated, and in their place, mixed Rumanian-Hungarian, Rumanian-German, etc., classes have been set up. The discriminatory Decree Law [278] was not repealed. In the Bánát and the Mezőség region of Transylvania there are communities and cities where there is not a single Hungarian-language class, elementary or trade school. In Moldavia, in entirely Hungarian Csángó communities, no forms of education in the native tongue exist.

Finally, through discriminatory admissions policies, the State makes it difficult for graduates of Hungarian schools or sections to enter the next higher educational level. Naturally, the Hungarian-language courses at these levels are rapidly eliminated, their existence being predicated upon the number of Hungarians who enter them. The Rumanian State, in the meantime, alleges that it is due to lack of popular demand that such courses are closed. Thus, as in the many illustrations above, the vicious discriminatory cycle is complete, and the outcome for the Hungarian minority is devastating.

2. Discrimination in Higher Education

Higher education has a great historic tradition in Transylvania. The Bolyai University of Cluj (Kolozsvár), for instance, can be traced to the Jesuit academy founded by the Hungarian prince István Báthory in 1581.

On March 5, 1959, the Bolyai University was forced to merge with the Rumanian Babes University. In his book Minorities Under Communism (Cambridge: Harvard University Press, 1977), Robert R. King calls the elimination of this Hungarian institution "the most serious blow to intellectuals among the Hungarian minority" (P. 153). Three professors, including the celebrated writer László Szabédi, committed suicide out of despair at this arbitrary act. Today, many view it as the first major step in the current campaign of cultural genocide, sanctioned at the outset by Moscow in retaliation for the 1956 revolt in Hungary. Incidentally, both Szabédi and Nicolae Ceausescu were present at the dinner where the merger of the two universities was celebrated in the name of brotherhood and equality. Ceausescu, secretary to the then dictator Gheorghe Gheorghiu-Dej, had been sent to head the campaign to intimidate the Hungarian professors in order to force them to accept the crippling of their university. During the dinner, Szabédi questioned the motives of the government in ordering the merger. The result was an intensive harassment of Szabédi by the secret police, which finally drove him to commit suicide a few weeks later. (A chilling, eyewitness account of Szabédi's tragedy and the events leading up to it can be found in "Methods of Rumanianization Employed in Transylvania," by Anonymous Napocensis, in Witnesses to Cultural Genocide, pp. 66-69.)

It is characteristic that the document of unification, which lists the existing faculties of the two universities at the time of the merger, has been concealed ever since, so as to hide any official evidence of the extent to which the Hungarian faculties have been eliminated. King further states that after the merger, "the 'Rumanianization' of the unified university was gradually carried out" (p. 154). He cites numerous examples of this ruthless process (ibid.):

> Although at first there was an attempt to give Hungarians adequate representation in the administration of the merged university, gradually Rumanians have come to play an increasingly dominant administrative role. When the merger was announced the rector was Rumanian but two of the three prorectors were Hungarian. By 1967 the number of prorectorships had been increased to five, but three were Rumanian. Also, seven of the eight deacons of the university and 61 percent of the teaching faculty were Rumanian.

Present conditions at this allegedly bilingual university are dismal. In the 1976-77 academic year, of all the students (approximately 6,000) only 8% (480 students) have the opportunity to attend Hungarian classes. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 119.) Typical of the lack of Hungarian-language courses is the situation in the University's Department of Chemistry. Only 6 of the 36 courses are taught in Hungarian, but 5 of those 6 are ideological courses (Marxism-Leninism, etc.) and the sixth is Organic Chemistry (ibid.).

A newer measure, introduced in 1979, makes it mandatory to combine a major in any subject belonging in the field of Hungarian studies with the appropriate subject in Rumanian studies. Since that time, applicants who wish to study Hungarian history, literature or linguistics are not admitted unless they can also pass an entrance examination in the Rumanian counterpart to those subjects.

The following list, taken from the Takács Memorandum (Witnesses to Cultural Genocide, pp. 151-152), provides an indication of the fate of the Hungarian section at this university since the merger two decades ago:

- In 1958-59, the year of the merger, there were 45 Rumanian and 36 Hungarian instructors on the faculty of Chemistry. In the 1976-77 academic year, we find 63 Rumanian and only 14 Hungarian instructors. During the intervening 20 years, 37 young Rumanian instructors were hired, in contrast to only one Hungarian.

- In 1958-59, there were 18 Rumanian and 15 Hungarian instructors on the faculty of Law. In 1977-78, 23 Rumanians and 4 Hungarians remained. In the interim, 8 Rumanian instructors and 1 Hungarian were hired.

- In contrast to the 23 Rumanian and 15 Hungarian instructors on the faculty of Economics at the time of the merger, today we find that the number of instructors has grown to the unusually large number of 95, of whom only 19 are Hungarian.

- In 1959, the entire staff of the Mathematics Department numbered 50, of whom 19 were from the Bolyai University. In this department today we find 65 instructors, of whom 14 are Hungarian. Of the 33 instructors hired since the merger, only 3 have been Hungarian.

- In the History department (at the faculty of History and Philosophy), of the 43 instructors at the time of the merger, 14 were from the Bolyai University. Currently, 27 instructors are left from the time of the merger, of whom 7 are Hungarian. Since the merger, not one Hungarian teacher has been hired. The youngest Hungarian instructor is 49 years old. Of the 7 Hungarians, not one has been named full professor and not one has been given a full pension.

- The situation is similar in the other departments of the University.

There is no guarantee of course that even the remaining Hungarian faculty members indicated above actually teach Hungarian-language classes. But clearly, as their numbers decline, even the possibility of such classes withers away.

A meaningful indicator of the total volume of Hungarian-language education which occurs at the University can be computed by multiplying the number of Hungarian courses by the number of students attending those courses. In recent semesters, the resulting figure has fluctuated between 5% and 10% of the comparable figure at the time of the merger. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 120.)

Why is the elimination of the Bolyai University considered such an outrageous measure? The reason lies in the fact that the Hungarian minority in Rumania forms an immense population, the largest national minority in Europe. One third of all the countries in the world have fewer inhabitants than there are Hungarians in Rumania. It is grossly discriminatory that this population of 2.5 million is not allowed to maintain a single university of its own.

In addition to this University, all other Hungarian institutions of higher education have been systematically curtailed or eliminated. King writes that "at the time Babes and Bolyai Universities were merged, the Dr. Petru Groza Agricultural Institute in Cluj was 'reorganized', and separate language instruction was dropped" (Minorities Under Communism, p. 154). Actually, according to Takács (Witnesses to Cultural Genocide, pp. 152-153), "Hungarian-language instruction was completely eliminated" at this Institute. "Currently, of the 205 faculty members employed there, only 16 are Hungarian -- all of them left over from the old institute -- and during the past 20 years, not one Hungarian teacher has been appointed" (ibid.). Of course, since studies can be conducted only in the Rumanian language, even these remaining Hungarians cannot teach in their native tongue.

According to King, "The Hungarian medical school in Tirgu Mures has also undergone a process of 'Rumanianization'" (Minorities Under Communism, p. 154). The number of cases is endless. In 1976, for the first time in the history of the school, a Rumanian rector was appointed to head the Hungarian Teachers College in Tirgu Mures (Marosvásárhely). Based on past experience, there can be no mistake as to the meaning of this measure for the future of this prestigious college. Indeed, during the time which has elapsed since this appointment, existing courses of instruction in Hungarian literature, language and music have been completely eliminated.

Károly Király wrote about the fate of institutions of higher education in the following manner ("Letter to János Vincze," in Witnesses to Cultural Genocide, pp. 174-175):

> In 1976 a decision was born to eliminate Hungarian institutions of higher education. After the "Bolyai" University in Kolozsvár came the Institute of Medicine and Pharmacology at Marosvásárhely, and then, by special order from above, a Rumanian section was established at the István Szentgyörgyi School for the Dramatic Arts, thereby liquidating in effect the last "island" of higher education in a nationality tongue.

In his February 1980 letter, Király reports that the situation in Hungarian higher education is "continuously deteriorating" (Appendix, p. A-2).

Parallel to the disappearance of opportunities to study in Hungarian, there has been a catastrophic drop over the past two decades in the proportion of Hungarian students attending any institution of higher education. This decline, illustrated in the table below, can only be explained by discriminatory admissions policies. According to Lajos Takács (Witnesses to Cultural Genocide, p. 153) during the 1957-58 academic year, there were 4,082 Hungarian students studying in their native tongue, and between 1,000 and 1,500 studying in Rumanian, at all institutions of higher education. At that time, therefore, there were approximately 5,500 Hungarian students out of a total student population of 51,094. Less than 20 years later, during the 1974-75 academic year, the total number of Hungarians attending institutions of higher education was 6,188, while the total student body had grown to 108,750 (ibid.). Thus, while the number of all students in higher education more than doubled during that period, the number of Hungarian students rose by only about 600, or a mere 10%.

Continuing the pattern shown by Takács, recent government statistics demonstrate a still greater decline in the opportunity for Hungarians to pursue a higher education. According to no lesser authority than Dr. Vasile Catuneanu, a high-ranking official in the Rumanian Ministry of Education, out of a total student population during the 1978-79 academic year of 180,000, only 7,497 were Hungarian (A Hét - Évkönyv [Yearbook of the newspaper The Week], Bucharest, 1979, p. 45). Thus, while the figures cited in the preceding paragraph reveal a drop in the Hungarian/Rumanian student ratio from 10.76% in 1957-58 to 5.69% in 1974-75, the newer official statistics show a further decline to 4.16% in 1978-79. Furthermore, it must be emphasized that these figures demonstrate only the drastic decline in the ratio of students who are themselves Hungarian. The number of such Hungarian students who can actually take at least some of their courses in Hungarian (a figure which the government has curiously declined to publish in recent years) has undoubtedly diminished by now to a miniscule percentage.

STUDENT POPULATION AT ALL INSTITUTIONS
OF HIGHER EDUCATION IN RUMANIA*

	1957-58	1974-75	1978-79
All Students	51,094	108,750	180,000
Hungarian Students	5,500	6,188	7,497
Percent Hungarian Students	10.76%	5.69%	4.16%
In Hungarian Classes	4,082	N/A	N/A
Percent in Hungarian Classes	7.98%		

*Sources:

Columns 1 and 2: "Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, p. 153.

Column 3: "Nineteen University Towns, One Hundred Eighty Thousand University Students," Interview with Dr. Vasile Catuneanu, in A Hét - Évkönyv [Yearbook of the newspaper The Week], Bucharest, 1979, p. 45.

One final comment on this topic seems appropriate. The severe restriction on those subjects which can be taught in Hungarian is not without serious impact on the lower levels of education. As indicated earlier, the various elements of discrimination in Rumania cannot be isolated, for they act to reinforce one another. Thus, the fact that the number of subjects which can be pursued in Hungarian beyond high school is relentlessly declining undoubtedly serves to pressure aspiring Hungarian students to begin studying those subjects in Rumanian during their earlier years of schooling.

3. Dissolution of Compact Minority Communities and Dispersion of Ethnic Professionals

As a Communist dictatorship, the Rumanian Government has almost complete control over its labor and housing markets. This control is used to break up homogeneous ethnic Hungarian communities.

The systematic denationalization of Hungarian cities has been noted in the Financial Times of London ("Transylvania's Ethnic Strains," April 2, 1975). The case of Cluj, Rumania's second largest city, is described as follows:

> Over the past 15 years, Romanians have been settled in this formerly almost entirely Hungarian city whereas Hungarians from the surrounding area have been banned with the result that Romanians now make up 65 per cent of the population.

In Rumania, citizens are not permitted to resettle into another city without official approval. At the same time, it is government policy to prevent the minority populations of cities from growing. Accordingly, while Hungarians find it almost impossible to move into the major cities of Transylvania, the influx of Rumanians is not only permitted, but encouraged through offers of favorable housing opportunities and other benefits.

Industrialization, which as in all Communist states is government-planned, is used as a tool to achieve the same purpose. Earlier, some of the most heavily Hungarian populated counties were among the most industrially underdeveloped. Hungarians seeking industrial employment were thus constrained to move to Rumanian areas or to commute long distances. Presently, with industrialization reaching into such counties as Covasna (Kovászna, 74.4% Hungarian) and Harghita (Hargita, 88.1% Hungarian), instead of employing the local population, the new factories are staffed mostly by Rumanian settlers imported by the government from outside areas. In his February 1980 letter, Király described this policy as follows (Appendix, p. A-5):

> The generous overindustrialization of Transylvania, particularly of the Hungarian inhabited areas, about which so much is made, and for which so much gratitude is expected of the locals, is based on this policy.
>
> On the excuse of labor shortage, masses of people from historic Rumania are brought not only into the cities, but into the villages as well. If it were true that all this is being done out of love for the nationalities, then the possibilities of study in and use of the native tongue would not be hindered.

It has been alleged that the reason for the decline in the Hungarian percentage of some Transylvanian cities is that their "hinterland" was much more Rumanian than Hungarian and "that upward mobility has favored the lesser developed Rumanian masses." This hypothesis is disproved by such cities as Miercurea Ciuc (Csikszereda) where in the past 10 years, as a consequence of industrialization, the percentage of Hungarians has fallen from 90% to 70%. This city happens to lie in the heart of a region which is purely Hungarian.

Another example of this policy is the manner in which workers have been hired at the new Azomures chemical factory in Tirgu Mures (Marosvásárhely). This city lies at the center of an area surrounded by a 90% majority of Hungarian inhabitants. Despite this fact, 90% of the workers in the Azomures plant are Rumanian. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 132.)

An entire series of laws assure the virtual serfdom of workers in Rumania. Examples are Decree-Law 24/1976 on "the recruitment and allocation of manpower" and Decree-Law 25/1976 on "the assignment of able-bodied persons to useful employment." Going far beyond regulation of the job market, these laws are used to forcibly resettle the minority population and to coerce the internal exile of non-conformist individuals. Work assignments based on the above laws are enforceable by police power. According to Article 201 of Law No. 5/1971 (as amended): "for persons who are assigned or transferred to work for an undetermined period in another locality, where they are guaranteed housing, according to law, and where they live together with their families, the militia will put into effect change of domicile to that area."

The same laws limit the opportunity for workers to commute. Thus, Hungarian workers who had been able to live in their native communities because they were willing to commute long distances must now either move to their place of employment (usually to Rumanian communities) or face the loss of their jobs (ibid., p. 133).

The breakup of Hungarian communities is further accomplished through the routine assignment of Hungarian graduates of universities and trade schools to jobs outside their native communities. Even though President Ceausescu himself, speaking on March 14, 1978 before a joint plenary session of the Hungarian and German Nationality Workers Councils (see transcript of March 13-14, 1978 session, published in Bucharest, p. 24) cited this practice as a "deficiency" in Rumania's nationality policies, it continues unaltered to the present day.

The stated policy of the Rumanian government, that graduates with the highest grades are given first choice of where to work, cannot account for the extent to which Hungarians are sent into Rumanian areas and Rumanians into Hungarian districts. As a result, the displaced Hungarians are cut off from their ethnic roots, and their children have no opportunity to attend Hungarian schools. More importantly, the Hungarian minority is deprived of doctors, lawyers, and other professionals who speak their own language. A frequently heard complaint, especially among the elderly in rural areas, is that they cannot communicate with the local doctor. Obviously, the otherwise sensible practice of rewarding top graduates with first choice in place of employment could still be applied effectively with the simple modification that Hungarian graduates be allowed to choose from among Hungarian areas and Rumanian graduates from among Rumanian regions.

The fact that Rumanian graduates are also sent into Hungarian districts does not make this policy any less discriminatory. On the contrary, although Hungarians are required to speak Rumanian in the Rumanian areas to which they have been sent, Rumanian professionals do not have to speak Hungarian in Hungarian areas. Consequently, the local population must either accomodate to the language of the Rumanian professionals foisted on them, or suffer the consequences. The discriminatory nature of this policy is clear. It is also intimately tied to the government's policy on minority schools. The sending of Rumanians into Hungarian areas paves the way for the elimination of Hungarian schools, since the children of these Rumanians are educated in newly created Rumanian sections. The Hungarian sections are then phased out as shown above.

Clearly, the Ceausescu regime, which appeals to nationalistic chauvinism as a source of legitimacy and power, does not easily tolerate compact masses of another nationality. Dissolution of communities is an effective way to disrupt the life and weaken the identity of ethnic groups.

4. Lack of Bilingualism

The Rumanian government's policy of referring to Rumania as a "unitary national state" is well known. But while that condition might be the desire or the aim of the government, it is also true that Rumania is currently multi-ethnic, especially in the region of Transylvania. The presence of several million inhabitants comprising large national minority groups is an undeniable fact which has well-defined consequences according to the rules of international law applicable to such minorities.

In contravention of these rules and Article 22 of the Rumanian Constitution quoted earlier, Rumanian is the official language spoken everywhere in Rumania; it is the exclusive language at all levels of government bureaucracy. Use of the native tongue has been completely eliminated from all areas of official activity. We challenge the Rumanian government, for example, to produce evidence of a single statement made in Hungarian during any meeting of a Party or local governmental organ in such heavily Hungarian localities as Oradea (Nagyvárad), Satu Mare (Szatmár), Bihorea (Bihar), Timisoara (Temesvár) or Cluj (Kolozsvár).

As Károly Király pointed out ("Letter to János Vincze," in Witnesses to Cultural Genocide, p. 175):

> Use of the native tongue is severely restricted at meetings of the Party, the Young Communists League, the trade unions, and in the various workers Councils; indeed, use of the native tongue is prohibited even at meetings of the Nationality Workers Councils. [Emphasis added.]

The lack of bilingualism is further evidenced by the fact that traffic safety signs and bureaucratic forms are all in Rumanian. Moreover, as Király writes (ibid.):

> Signs identifying institutions, localities and so on in the native tongue of the local inhabitants have almost completely disappeared. In 1971 when I was First Party Secretary in Kovászna County, we posted bilingual Rumanian and Hungarian signs there, in accordance with a decree of the County Peoples Council. But their existence was shortlived. The signs were simply removed, and by 1975, not a single locality was identified in Hungarian.

In addition, there is an increasing tendency to appoint Rumanian personnel to all positions which involve contact with the public in Hungarian areas. In Tirgu Mures (Marosvásárhely), for instance (which as already noted is still 70-75% Hungarian) the Rumanian mayor does not even speak Hungarian and postal service personnel are almost exclusively Rumanian. (See also "Letter from Károly Király to János Vincze," in Witnesses to Cultural Genocide, p. '75.)

In this regard, the author of the Neue Zürcher Zeitung article cited above made the following observation:

> In Cluj whose population is still 45% Hungarian-speaking, signs in that language are clearly forbidden. Only Hungarian theater billboards and announcements in churches visited by Hungarians are in Hungarian.

According to Article 109 of the Rumanian Constitution, judicial proceedings throughout the country must be conducted in the Rumanian language. Thus, the only right a Hungarian defendant or litigant has before the court of his own native community is to be provided with an interpreter. This "right," however, is no more than the right granted to any foreigner brought to trial in Rumania.

Even a marriage ceremony of two young Hungarians cannot be conducted in their native tongue. Lately, determined young people -- as a form of resistance -- have endured months of bureaucratic aggravation and delay (and, in some cases, police harassment) simply for the opportunity to be married in Hungarian. Mrs. Ádám Könczey, a high school teacher in Cluj (Kolozsvár) for example, was publicly branded a "chauvinist" at a faculty meeting in her school, because her son had won a several-month-long struggle to use Hungarian at his marriage ceremony which took place on January 3, 1980.

In the technical professions, due to the absence of bilingual instruction noted above, use of the Hungarian language is simply impossible. It is also impossible to find a menu in Hungarian in the restaurants of Cluj (Kolozsvár) where a large percentage of the population is Hungarian. Postcards depicting Hungarian historical monuments bear descriptive texts in four or five languages, none of them Hungarian.

The lack of bilingualism is made all the more severe by the overt and subtle forms of intimidation which are employed to eliminate the use of the native tongue at all levels of society. Károly Király pointed out this problem when he wrote (Letters to Ilie Verdet and János Vincze, in Witnesses to Cultural Genocide, pp. 168 and 175):

> In some cases, first secretaries, first vice-presidents, county secretaries in municipalities and cities and vice-presidents in the Peoples Councils, though of nationality origin themselves, use only the Rumanian language in their contacts with workers of nationality origin, letting them know in this way that perhaps someone prohibited them from using the native tongue...
>
> Nationalities cannot use their native tongues even in State offices; after all, most of the officials are Rumanians who do not speak the nationality's language, either because they do not know it or because they refuse to use it. [Emphases added.]

Due to this complete absence of any degree of bilingualism and the chauvinism encouraged by government policies, members of minorities are often forced to endure derision and threats for using their native tongue, even in private conversations at public places. There are strong official pressures on Hungarian parents to give their newborn infants Rumanian names. Hungarian names are frequently Rumanianized in official documents and the press, without the consent of the individuals concerned.

It seems fitting to conclude here with the experience of a recent visitor, a well-known writer, to Transylvania. In the predominantly Hungarian village of Sic (Szék), he found only one sign written in Hungarian. It hangs on the wall of the village tavern and declares: "It is forbidden to sing in Hungarian."

5. Curtailment of Cultural Opportunities

In view of the already discussed decline in Hungarian educational opportunities and the increasing denationalization of Hungarian communities, it is hardly surprising that the same policy of curtailment and elimination permeates every aspect of minority cultural life as well. As noted by The Times of London ("Party Officials Join Fight for Hungarians' Rights," April 25, 1978, p. 9):

> The Hungarians, who hitherto had their old cultural institutions have gradually been losing them as the policy of enforced assimilation by the Rumanian state gained momentum over the past 10 years or so.

The following are only some examples of this discriminatory process:

- No independent Hungarian writers, artists, or musicians association may exist in Rumania today despite the rich, living heritage of Transylvanian Hungarian creators in those areas. Even in the field of literature, where language is obviously of supreme importance, Hungarians can only belong to the Rumanian Writers Association as individuals. They are not permitted to pass even resolutions of their own. Their only right is to make proposals to the entire body. Their leaders are not elected, but appointed by the Rumanians. Out of "courtesy" to the attending Rumanian officials, Hungarian writers are not able to hold meetings or carry on discussions in their own native tongue. In this way, Hungarian poets and authors are forced to discuss their literary work in another language: Rumanian. Contacts -- even informal -- with literary associations in Hungary are strictly forbidden. Though only a fraction of their work is allowed to appear in Rumania, Hungarian writers are prohibited from publishing any original works in Hungary.

- The volume of Hungarian-language books published in Rumania is clearly insufficient. According to official government statistics 2,423,000 copies were published in 1977, meaning only one book per Hungarian for the entire year. And, of course, this figure includes an inordinately heavy share of translations from the Rumanian language, including such "gems" as the collected works of Nicolae Ceausescu. In the period from 1970 to 1977, of the 19 publishers who published anything in Hungarian, 12 did not exceed 10 titles each. During that seven year period, Akademia Publishers issued only 1 work in Hungarian, Medicalia published 4, Minerva published 1, and the Tourist and Sport Publisher issued 1. Eight of these publishers do not employ a single Hungarian editor, while the other four employ one each. As a result of these conditions, there is a severe shortage of Hungarian books of a technical nature and of Hungarian children's books. ("Memorandum," by Lajos Takács, in Witnesses to Cultural Genocide, p. 155.)

The number of Hungarian-language newspapers, frequency of publication and number of pages have all been forcibly curtailed in the past years under the pretext of a "paper shortage." Rumanian newspapers were also curtailed, but their allocations were soon reinstated while those of the Hungarian newspapers were not. Six Hungarian newspapers formerly published daily are now allowed to appear only weekly. There is no journal on drama or music or the other arts in Hungarian, even though the demand for these items is high. Nor are there any technical, medical and other professional journals in the minority languages. All Hungarian high school and university student newspapers have been terminated. Even the children's periodical Jóbarát has been forced to merge with its Rumanian counterpart Cutezatorul and can publish only translations of articles which appear in the latter. Those publications which do exist are used by the State to further undermine the national identity of the minorities. Newspapers, magazines and literary publications in Hungarian do not serve the political, economic or cultural/spiritual needs of the Hungarian minority. Literary magazines, for example, are to a great extent devoted to the translated works of Rumanian authors and to the activities of the Communist Party.

To counter the charge of discrimination in this field, it could be argued that all publications, including those in the Rumanian language are filled with official propaganda. But of all the Communist-ruled countries, Rumania appeals the most to national chauvinism as a source of popular support. The Ceausescu regime, intoxicated with delusions of its own grandeur, treats the mere existence of minorities as anathema. Official Rumanian propaganda, therefore, is not only Communist, but especially chauvinistic in nature. It serves the interests of a chauvinistic dictatorship bent on robbing its minority populations of their national identity. Thus even when applied equally to both Hungarians and Rumanians, it is inevitably discriminatory against the former.

- Book imports from Hungary are severely restricted by Rumanian regulations which tie their number to the volume of books Hungary imports from Rumania. Because, obviously, more Hungarian literature is produced in Hungary than in Rumania, and the publication of Hungarian-language books in Rumania is kept at an artificially low level, this linkage works as an effective obstacle to the importation of literary products from Hungary. In this way, for example, the most widely known novel by one of the greatest contemporary writers in Hungary, László Németh, published in 1948, was not distributed in Rumania until 1967. The restriction on literary imports from Hungary applies equally to classical literature, specialized scientific and technical texts, and phonograph records, even those containing only folk and gypsy music. Subscriptions to periodicals published in Hungary can be obtained only with official permission and only if they do not exceed a numerical quota. Eighty to ninety percent of such requests are rejected, including those of schools, libraries and institutions as well as individuals.

The policy of restricting materials from Hungary also applies to private individuals (Rumanian citizens as well as foreign visitors) who enter Rumania with personal belongings. The following typical border incident was reported by an American news correspondent (Eric Bourne, "After 20 Years of Silent Protests, Transylvanians in Romania Are Calling Loudly for Their Rights," The Christian Science Monitor, May 25, 1978, p. 15):

> Scene: The border crossing on the main highway from Hungary into northwestern Romania.
>
> Awaiting Customs clearance, a coachload of Romanian citizens of Hungarian origin.
>
> They are returning home to the Hungarian minority region of Transylvania in Romania after visiting relatives in Hungary.
>
> On one side of the border the Hungarian guard waves them on quickly. But on the other side the Romanians take longer.
>
> Passengers' suitcases and parcels are all meticulously checked -- not for luxury items, but for Hungarian books and newspapers, which are invariably confiscated.
>
> A girl is relieved of several volumes of a Hungarian encyclopedia. Near tears, she explains they are for her studies, but to no avail...
>
> These arbitrary Romanian restrictions on the import of Hungarian publications are a major cause of increasing resentment among the 2 million ethnic Hungarians living in Romanian Transylvania.

• But restrictions on the import of Hungarian books and confiscations at border crossings are not the only weapons in the Rumanian government arsenal. Another practice consists of secret police searches of the homes of selected Hungarians and the confiscation of their Hungarian language materials. Only four such cases which occurred during the past year are cited below:

-- Antal Juhász, a Catholic priest from Cristurul-Secuiesc (Székelykeresztúr), was forced, under threats by the secret police, to surrender his copies of a Hungarian ethnographic encyclopedia and the 1979 reprint of two ancient Hungarian religious codes.

-- Géza Borsos, a schoolteacher from Gyergyócsomafalva, was harassed by the police on numerous occasions, and, in the course of a house search, his books on Hungarian history were confiscated.

-- Lajos Szentes, a schoolteacher from Nusfalau (Szilágynagyfalu), was subjected to a house search by police who claimed to have received an anonymous tip concerning the illegal possession of Western currency there. The police found no currency, but they did take his set of a Hungarian ethnographic encyclopedia.

-- Márton Demse, a former schoolteacher from Bacau (Bákó), was detained at the Rumanian-Hungarian border on August 15, 1980 and removed from the train on which he was traveling to Hungary. The charge: possession and attempted smuggling of a small amount of Rumanian (!) currency. Demse was in fact carrying the Rumanian currency because he had been unable to purchase Hungarian currency in Rumania, despite numerous, entirely legal attempts to do so. This ridiculous infraction cost him not only a heavy fine, but repeated searches of his home and the confiscation of his Hungarian-language books (including some which had been published in Rumania!). Since his "capture" at the border, Demse has been harassed and intimidated constantly by the secret police. The true motive for his persecution, of course, derives from his role as a Hungarian teacher for many years and as an intellectual among the ethnically Hungarian Csángós (see pp. 40-41 infra.).

- Twenty years ago there were six independent Hungarian theaters in Transylvania. Today only two of them exist, one in Cluj (Kolozsvár) and the other in Sfintul Gheorghe (Sepsiszentgyörgy). The remaining four have been merged into Rumanian theaters (except that of Timisoara (Temesvár) which was merged with the German one) where the management and service personnel are exclusively Rumanian.

The purpose of the mergers was to suffocate a flourishing institution, the Hungarian theater. A good case in point is the process which occurred in Tirgu Mures (Marosvásárhely). This predominantly Hungarian city (70-75%) is the cultural center of a totally Hungarian rural hinterland (90-95%). Though there appeared to be no need for a Rumanian theater, one was created and forcibly merged with the Hungarian theater. A Rumanian director who does not speak a word of Hungarian was appointed to head the new theater ("Letter from Károly Király to Janos Vincze," dated September 10, 1977, Witnesses to Cultural Genocide, p. 175). As expected, Rumanian performances played before an almost completely empty house, while Hungarian performances were almost always sold out. The result is that season tickets can now be bought only for the combination of Rumanian and Hungarian performances. Hungarian theater-goers are thereby forced to subsidize the Rumanian performances and, consequently, the gradual suffocation of their own theater section.

Coincidentally, the city's István Szentgyörgyi Hungarian School for the Dramatic Arts was merged into a newly created Rumanian counterpart. As Király writes (ibid.): "Just to eliminate any remaining doubt concerning the latter move, of the six Hungarian graduates of the School for the Dramatic Arts, only one was appointed to a Hungarian theater, while the remaining five -- whether they liked it or not -- were placed in Rumanian theaters." The locality in question, Tirgu Mures (Marosvásárhely), has never had a Rumanian theatrical tradition, and the Rumanian drama instructors who teach in the new school commute regularly from Bucharest. Clearly, the only purpose of this merger was to provide the means for gradually eliminating a vital Hungarian institution. Even the Rumanian theatrical elite was outraged at this measure.

For many years Hungarian theaters in Rumania fulfilled an important mission by touring the Hungarian-inhabited countryside performing plays for the people in small towns and villages. In recent years, however, the government has begun to interfere with this practice as well. It has, for instance, restricted the amount of gasoline allocated to the Hungarian Theater of Cluj (Kolozsvár) and in 1975 it confiscated the Theater's truck. Many outlying localities thus lost the opportunity to benefit from the Theater's performances. ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 116.)

- Twelve years ago the Hungarian Folk Institute of Cluj (Kolozsvár) was closed without explanation. At about the same time the Székely Folk Ensemble was also eliminated. A so-called Maros Folk Ensemble was created in its place, which performs considerably more Rumanian than Hungarian numbers. Moreover, an internal (unofficial, but strictly enforced) Party directive prohibits any further hiring of Hungarians by this ensemble. The same directive applies to the Hungarian Philharmonic Orchestra in Tirgu Mures (Marosvásárhely). These cases are mentioned only as examples of the manner in which allegedly Hungarian groups are forced to conduct their activities.

- Despite a potential audience numbering in the millions, films in Rumania cannot be made in Hungarian. There are no facilities for the training of theater directors, drama critics, art critics, or music critics in Hungarian. Requests for permission to study in these professions in Hungary are routinely denied.

- Fortunately, the inadequacy of Hungarian-language broadcast programming in Rumania is partly offset by the invaluable services of Radio Free Europe and the Voice of America. Nevertheless the situation falls far short of expectations: The present 3 hours of television programming a week in a language that is the native tongue of 2.5 million people is grossly inadequate. Adding to this insufficiency, television program schedules were rearranged in January 1974, so that even these scant 3 hours are now broadcast during a time period (Monday, late afternoon) when the majority of potential viewers are still at work. The situation with respect to radio programming is no less deplorable. It is outrageous and highly discriminatory for example, that Radio Tirgu Mures (Marosvásárhely), whose broadcast area has a Hungarian population of more than 90%, transmits only 2 hours daily in Hungarian.

- Finally, it is revealing to examine the supply of books in public libraries. According to recent data the volumes in these libraries are predominantly in the Rumanian language even in entirely Hungarian communities. Two examples are the library located in the Kalotaszeg region (close to 100% Hungarian populated) where out of 30,000 books only 5,471 (18.2%) were in Hungarian, and the library of Rimetea (Torockó, 93.1% Hungarian populated) where out of 7,531 books only 3,228 (42.9%) were in Hungarian ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 116).

6. Falsification of Population Statistics

Rumanian statistics consistently understate the size of the Hungarian minority in Rumania. Based on a census taken in 1910, the Hungarian population within the region which later formed the Rumanian state was placed at 1.6 million. According to the 1966 Rumanian census, despite the passage of 56 years, the number was still the same.

This strange result might be explained by internal inconsistencies in those Rumanian statistics which deal with the growth rate of the Hungarian minority. The last three censi in Rumania have produced the following published statistics:

	TOTAL POPULATION EXCLUDING HUNGARIANS	HUNGARIANS
1956	15,901,775	1,587,675
1966	17,483,571	1,619,592
Growth Rate, 1956-1966	9.9%	2.0%
1977	19,852,542	1,706,874
Growth Rate, 1966-1977	13.5%	5.4%

According to these figures, between 1956 and 1966, the non-Hungarian population of Rumania grew by 9.9%, at a rate almost five times greater than the alleged Hungarian growth rate of 2.0%. Similarly, between 1966 and 1977, the total population of Rumania, excluding Hungarians, supposedly grew by 13.5%, while the growth rate of Hungarians was only 5.4%. In reality, aside from statistical juggling, there is no circumstance which can be cited to justify such vast differences in growth rates.

Furthermore, there are demographic statistics on Hungarians which suggest a significantly larger Hungarian population than that which is officially reported. According to official Rumanian sources (e.g. The Hungarian Nationality in Romania, Bucharest, 1976, pp. 23-24), there are about 1.5 million active Hungarian churchgoers in Rumania. This number represents 92.6% of the Hungarian population shown in the same booklet. The magnitude of this percentage, however, is clearly absurd given the well-known pressures in Communist countries against practicing one's religion. The comparable percentage for the United States, where freedom of worship is fully protected, is only 62.9%. Taking the given 1.5 million Hungarian churchgoers and applying 62.9%, a figure probably still an exaggeration for a Communist country, the size of the Hungarian population would be approximately 2.4 million.

During his 1976 visit in the United States, a high-ranking official from Rumania provided a still more astonishing example of the internal inconsistences in Rumanian statistics. Seeking to prove the vast freedom of worship for minorities in Rumania, he quoted the results of a new survey to determine the number of Hungarians belonging to each of six religious denominations. When added up, however, the six figures totaled 1,724,000 or 17,126 more Hungarian churchgoers than the entire Hungarian population according to the Rumanian census taken a year later!

The Rumanian regime uses several techniques to underrepresent the size of the Hungarian minority. One method is to eliminate two ancient Hungarian groups from population data on Hungarians: the Csángós and the Székelys. The Csángós number about 250,000 and are the only major group of Hungarians which lived under Rumanian sovereignty even before the Rumanian annexation of Transylvania. They have comprised a minority amid Rumanians for centuries, living in Moldavia outside the Carpathian basin. They are never counted as Hungarians despite the fact that they have preserved their distinct Hungarian language, culture and Roman Catholic faith. As Károly Király reports in his February 1980 letter (Appendix, p. A-2):

> In the last census they were denied even the possibility of declaring themselves Hungarian, and were officially declared Rumanian. Such actions could not have happened in the past, even under the most reactionary regimes.

The statistical annihilation of the Csángós as Hungarians is only part of the government's campaign against them. In 1958, for example, they still had 72 schools. Today they have none ("Memorandum," by György Lázár, in Witnesses to Cultural Genocide, p. 124). Further, not only Hungarians from Hungary but Transylvanian Hungarians as well are discouraged through intimidation from visiting the Csángó region. In recent years, a Transylvanian Hungarian ethno-musicologist, the widely respected Zoltán Kallós, was imprisoned on false charges of homosexuality while he was conducting research on the folk music of the Csangos. Due to the intervention of Amnesty International, he was later released, but Mr. Kallós' ordeal has not ended. In September-October 1980 he was again subjected to constant police harassment.

The Rumanian government has repeatedly displayed its paranoia over the existence of this relatively small Hungarian community. In the Fall of 1980, for example, at the Moldavian university located in Moldavia in Iasi (Jászvásár) the authorities confiscated a small Hungarian library which had been donated to the students by the official (i.e. Communist controlled) literary magazine "Korunk." The authorities also banned the Hungarian students' amateur performing arts group. Both measures were announced by the students "voluntarily," after they had been threatened with expulsion from the university.

Hungarians who travel to Moldavia are subjected to severe reprisals if they exhibit any interest toward the Csángós, their ethnic kin. One recent illustration among many is the case of Géza Szánto-Kovács, an engineer from Miercurea Ciuc (Csikszereda), who was fired from his job because he had visited the Csango area with his car on several occasions. The police investigation of his "crimes" lasted for several months. Equally harsh penalties ara meted out against local Hungarians. In late 1980, Tamás Jeney, a Reformed Church minister residing at str. Bacovia 12/a in Bacau, was subjected to intensive harassment for maintaining contact with his own parishioners (poor Csángó villagers) and Hungarian intellectuals as well.

The Székelys (sometimes called Szeklers in English) on the other hand, are an autochthonous population of Transylvania. They are often, though not always counted separately from Hungarians in spite of their being proudly Hungarian and indeed, the most resistant to the inroads of forced Rumanianization. The distinction between the Székelys and other Hungarians is of purely historic interest and is no more or no less significant than, for example, the distinction between the Normans and other Frenchmen, Prussians and other Germans, or Highland and Lowland Scots. According to an English historian "they differ, in their own eyes, from the other Magyars only in being more Magyar than they" (C.A. Macartney, Hungary and Her Successors, Oxford University Press, 1968, p. 255). The Rumanian policy of playing up this distinction and completely excluding the 250,000 Csángós, can have no other end than to reduce the significance of the Hungarian population to which all Hungarians -- Székely, Csángó or otherwise -- equally belong.

Another sly tactic involves the demographic questionnaire used to compile census data (most recently, in January 1977). The form contains three spaces requiring identification as to "citizenship," "nationality" and "native tongue," in that order. The census taker is instructed not to complete the "nationality" blank, as if he had forgotten to pose the question. As "citizenship" is obviously Rumanian, where "mother tongue" is Hungarian, the blank is later filled in as follows: "Nationality: Hungarian-speaking Rumanian." The result statistically, is one less member of the Hungarian nationality and one more Rumanian. This artificial distinction between nationality and native tongue, together with the "correction" of the census returns, serves the dual purpose of understating the size of the Hungarian population and increasing the number of Rumanians. This practice was uncovered by the International Commission of Jurists ("The Hungarian Minority Problem in Rumania." Bulletin of the International Commission of Jurists, No. 17, December 1963, p. 41):

> The Rumanian National Statistical Office carried out a census in 1956 and it was emphasized that the civil servants carrying out the census were obliged to call attention in each case to the basic difference between nationality, i.e., ethnic origin, and mother tongue. All persons registered had to state to which national ethnic group they belonged. The distinction between national group and mother-tongue and the obligation to state before officials one's national group drive a wedge between a people and its culture and this indeed is reflected in the figures given by the census. For every thousand people of declared Hungarian origin there were one thousand and forty-two giving Hungarian as their mother-tongue. It is difficult to believe that Hungarian, difficult and almost unrelated to other languages, is the mother-tongue of any but Hungarians, and yet 4.2% of the Hungarian minority group shrank from stating that they were Hungarian. The reasonable conclusion to be drawn from this is that in their eyes it was better not to declare oneself to be Hungarian.

7. Confiscation of Church Archives

In 1948 the United Nations Ad Hoc Committee on Genocide accepted the following definition as one of the ways by which the crime of cultural genocide may be committed (United Nations Document E/447):

> ..systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value and of objects used in religious worship.

As noted earlier, regardless of the fact that the final text of the Convention on the Prevention and Punishment of Crime of Genocide did not incorporate the above language, Rumania's recent behavior exactly corresponds with this definition.

Act No. 63 of November 2, 1974 on the Protection of the National Cultural Treasury and Decree/Law 207 (1974) (amending Decree/Law 472 (1971) on the National Archives) are major tools used to eradicate the history of Hungarian cultural institutions. Under the above laws, the goverment summarily nationalized all "documents, official and private correspondence, recordings, diaries, manefestos, posters, sketches, drawings, engravings, imprints, seals, and like material" over thirty years old, from the possession of religious and cultural institutions or private citizens. The pretext was the "protection" of these documents but the real intent soon became obvious from the crude and summary manner by which the regulations were enforced.

The Swiss daily Neue Zürcher Zeitung ("Bureaucratic Chicanery Against the Churches in Rumania," February 1/2, 1975, p. 6) reported this outrage in the following manner:

> The intent behind the nationalization of the ecclesiastical archives is to sever the religious communities from their historical roots. A church without a past /tradition/ has no future, especially one which represents a religious and national minority. The first victim of these warlike designs against the religious and cultural minorities by the Rumanian regime was the Hungarian Reformed Church in the northeast districts of Oradea, Satumare, Baia-Mare and Zalau. Here in the mother country of the Reformation in Transylvania, appeared officials from the State Archive, assisted by an authorized agent from the Department of Culture and a representative from the episcopate, who seized the archives of approximately two-hundred church communities and deaneries. The material was -- in many cases without receipt -- loaded onto trucks and carted away. The historical order of the archives has become completely disrupted in the process -- one method of "reserving" and"protecting" historical materials -- rendering scientific research for the next decades impossible. The Rumanian government has openly embarked on an escalated campaign against the Reformed Church and the Hungarian nationality /minority/..
>
> It would be much easier and simpler, from a scientific point of view, if the church archives were to keep the originals and were to hand out copies to the state. In this way, the claimed scientific concern by the state would be amply maintained, and the articles would remain in the archives, instead of being transported away to distant, unknown and possibly inaccessible locations.
>
> Especially the two "reformed" churches /i.e., the Reformed and Lutheran/ have been preserving in their archives the tradition of their religious and linguistic individuality, dating back to the time of the Reformation.

These church archives *had* for centuries been inventoried by the churches themselves. The archives were generally in excellent order and condition, but more importantly, they were accessible to researchers. The immense archive of the Roman Catholic episcopate of Oradea (Nagyvárad), for example, was housed in a building built in the 18th century and equipped expressly for that purpose. The archive is now stored in a warehouse of the castle in the city, inaccessible to scholars. Similarily, as a consequence of neglect and mistreatment by the authorities, the archive of the Roman Catholic episcopate of Satu Mare (Szatmárnémeti) has been almost completely destroyed. The archives of the Roman Catholic lyceum of Oradea (Nagyvárad), and of the Reformed Church Colleges of Orastie (Szászváros), Sighetul Marmatiei (Máramarossziget), and Satu Mare (Szatmárnémeti) have also suffered severe deterioration. ("Memorandum," by Lajos Takács, in *Witnesses to Cultural Genocide*, pp. 155-156.)

For the past 26 years Rumania has maintained absolutely *no* facilities for the professional training of archivists, not even in Rumanian. (During the "legislative debate" surrounding the passage of Act No. 63, Ceausescu himself was astonished to learn this fact.) The few archivists extant in Rumania are not expert in ancient Slavic, ancient Greek, Hungarian and Latin, the languages in which these documents were written. The richest Hungarian collection in the country, the Batthyaneum Library in Alba Iulia (Gyulafehérvár), does not employ a single Hungarian expert (*ibid.*, pp. 156-157).

The above-mentioned outrages form part of a systematic effort to re-write Rumanian history in order to suppress the significance of the indigenous Hungarian culture. Another means for achieving the same objective was reported by the London *Financial Times* ("Transylvania's Ethnic Strains," April 2, 1974):

> A favourite device is to 'facelift' the tombs and crypts of famous Hungarian families in the medieval Házsongard cemetery in Cluj by alloting them to recently dead Rumanians. In this way, the ethnic composition of the former population, now dead, is restructured favourably.

8. Harassment of Churches

The multinational region of Transylvania has a long heritage of religious freedom. It was in Transylvania that freedom of religion was written into law *for the first time in history*, in 1568 at the Diet of Torda. Significantly, this momentous event occurred at a time when elsewhere in Europe wars of religious intolerance were raging.

The Rumanian State, through its "Ministry of Cults," exercises a policy of total interference in ecclesiastical matters regardless of their administrative, social or theological nature. No decision can be implemented by the churches unless it is thoroughly reviewed and approved by the Ministry of Cults. For instance, any social or religious gathering, with the exception of Sunday worship, must be approved by the State. The same condition applies to the right of churches to use their material resources. State approval of such use has been known to take years.

Another curiosity (in a country which purports to guarantee freedom of worship) is that all church objects are kept on official inventory, as property of the state. In churches in Rumania, state inventory labels can be seen on every last item, from the altar and church pews to the collection plate and even sacramental objects used to administer holy communion.

Protestant congregations in Rumania are denied the ancient and traditional right to elect their own ministries and persbyters. They may only propose candidates, since the State has reserved the right of selection for itself. Religious instruction is also subject to debilitating government intrusion. While the State does approve religion classes to be held during certain prescribed hours, school authorities are instructed to organize compulsory school activities at precisely the same hours. Non-attendance at such activities results in official reprimand of not only the "delinquent" child but the parents as well.

It should be emphasized that these restrictions harm especially the minority populations. Religious affiliation generally corresponds with nationality in Rumania. The Church then is the only remaining institution which could fulfill the minorities' needs and permit them to nurture their ethnic heritage. In this sense, "harassment of churches" assumes a far greater meaning for minorities than only the curtailment of religious freedoms. Hungarian ministers, for instance, are subjected to severe interrogation, if -- as frequently occurs in the many communities which have no Hungarian school -- they teach children in their native tongue.

The most outrageous abuse of the minority churches, however, is directed against the Hungarian Catholic Csángós in Moldavia. There, even the church was made a tool of denationalization. As Károly Király wrote in his February 1980 letter (Appendix, p. A-3):

> In spite of the fact that the inhabitants are all Hungarians and Roman Catholics, they have Rumanian priests, and as a consequence, their services are conducted not in their Hungarian native tongue, but in the Rumanian language -- not to mention the fact that in the Moldavian villages inhabited by Csángó Hungarians all forms of schooling in and instruction in the native tongue have been eliminated for two decades.

By paying one third of the salaries of clergymen, the State claims the right to their complete and faithful cooperation. If the situation calls for it, they can be forced at any time to become part of the Communist propaganda machinery -- both at home and abroad. It is no accident, for example, that on June 4, 1976, a five-member delegation of church leaders was herded on three days' notice to the United States to promote the Rumanian government at various educational and theological institutions. Nor is it accidental that since that time, several other church leaders have been sent on similar public relations missions to American legislators and politicians.

Forced isolation harms minority churches which have sister communities in the West and which are dependent to a great extent on donations from abroad to support their charitable work. Aside from limitations on their travel, clergymen are forbidden to receive gifts from abroad and to correspond with relatives, friends or institutions in non-communist countries.

Freedom to publish theological books, periodicals, and other religious material is extremely limited. The propaganda booklet The Hungarian Nationality in Romania, distributed in 1976 by the "Romanian Library" in New York is able to list only five theological books published in Hungarian in the last quarter-century (p. 25). For the 700,000 members of the Hungarian Reformed Church (p. 23), only one bimonthly publication can be circulated in a mere 1,000 copies (p. 43). Furthermore, church libraries are forbidden to lend any books, even though they were acquired through the donations of the very same parishioners who might wish to borrow them.

The Hungarian Protestant Theological Institute of Cluj (Kolozsvár) came into being in 1949 as a result of forced unification of the independent Presbyterian and Unitarian Theological Institutes. This institute is indeed, as the above-mentioned propaganda booklet claims, "a unique institute" (p. 24): Through this forced unification, both the Presbyterian and Unitarian Churches were deprived of their ancient tradition of self-determination which had included the training of their own ministers. The curriculum of the Protestant Theological Institute is now carefully designed and supervised by the Ministry of Cults. Examinations, which are all oral, are chaired by an Inspector from the Ministry of Cults to insure that future clergymen of the Hungarian minority keep in line with State policy.

Since the earthquake which struck Rumania on March 4, 1977, the government has employed a novel form of discrimination against minority chuches. The earthquake, whose greatest impact was felt in and around Bucharest, also reached into Transylvania, seriously damaging 78 Hungarian Reformed churches. Of the buildings affected, five had to be demolished and, as of the summer of 1978, it was impossible to hold services in fifteen. The cost of repairs was estimated at $2,000,000 and sister churches in the West raised large sums of money to send to Rumania for the restoration of these buildings.

The Rumanian government, however, by imposing a variety of bureaucratic and arbitrary obstacles, has effectively prevented the transfer and use of such funds for their intended purpose. Decree No. 21465/1974, for example, forbids members of the clergy from receiving any gifts from abroad without permission from the Ministry of Cults. In several instances, such permission was in fact denied, and funds donated for the specific purpose of rebuilding churches were arbitrarily diverted to other uses. Only forceful intervention by the Swiss, West German and Dutch governments has been able to ensure the restoration of some of the damaged churches with funds received from those countries. Many of the churches, however, continue to languish in disrepair -- despite the availability of funds collected specifically for their repair -- more than three years after the earthquake.

For Hungarians, these churches represent more than simply places in which religious services are held. They are historic monuments: important elements of Hungarian cultural heritage and paradigms of Hungarian architecture and art from the Middle Ages to recent times. Their disappearance would constitute an irreplaceable loss to the Hungarian nationality, and their present neglect is clearly part of the overall campaign by the Rumanian government to eradicate the evidence of Hungarian cultural heritage from Transylvania.

Those Hungarian believers who protest the violations of religious freedom by the Rumanian government are harassed and imprisoned -- exactly as their Rumanian brethren. During the Summer of 1979, Lajos Osváth, a Hungarian Baptist, was sentenced to one year of forced labor for belonging to a dissident group called "The Rumanian Christian Committee for the Defense of Freedom of Religion and Conscience" (ALRC). Later he was expelled from the country.

9. Bans on Private Lodging

Decree/Law 225 (1974) prohibits the accomodation of non-Rumanian citizens in private homes with the exception of closest relatives. The punishment for disobeying this law is a draconic fine of 15,000 leis (about $1,200) which is imposed on the unfortunate host. The law was ostensibly created for the protection of the hotel industry and applied to all visitors. The discriminatory character of the law becomes obvious, however, in light of the fact that it is the 2.5 million Hungarians who have the greatest number of relatives and potential visitors abroad -- among the 10.5 million Hungarians in neighboring Hungary alone, not to mention the several million Hungarians in the West who have escaped Rumania's intolerant atmosphere since World War I. Indeed it is difficult to find a Hungarian family in Rumania without relatives or close friends living in either Hungary or the West. Due to the extreme scarcity of hotel facilities in rural Transylvania, the generally modest means of these would-be visitors, and especially the threat of harassment and intimidation for even the most innocent failure to obey the unreasonable and selectively enforced provisions of this law, visits are often rendered a practical impossibility.

A Neue Zürcher Zeitung reporter (April 3/4, 1977, p. 4), finding this law to be obviously discriminatory against Hungarians, interpreted its existence as resulting from a fear inherent in Rumanian internal policy "which sees in any visitor from Hungary, a country which by Communist standards is less orthodox, a carrier of the dangerous bacteria of freedom." One wonders at the true extent of oppression in Rumania, where visits even by citizens of a "fellow socialist country" are subject to official obstruction.

Claims concerning the alleged non-discriminatory nature of Rumania's restrictions on foreign visitors have become especially untenable since the issuance of Decree/Law 372 (November 8, 1976) amending Decree/Law 225. According to its text, one of the express purposes of the new Decree is to encourage and advance the enrichment of the "Rumanian language and culture," unmistakably excluding a similar desire for minority languages or cultures. Moreover, the lifting of visiting restrictions and the elimination of currency exchange requirements apply only to visitors of "Rumanian origin"; reports indicate that at border crossings this vague category is strictly interpreted to include only those of Rumanian nationality as determined by the name and birthplace appearing on travel documents or according to similar unwritten and arbitrary criteria.

10. Falsification of History

The Rumanian government is obviously annoyed by the fact that for many centuries before the first arrival of Rumanians in the region of present-day Rumania, several other nationalities (today's national minorities) had already inhabited that area. Nevertheless, in order to prove the Rumanians' historical "precedence" in the area, the government -- through its academic mercenaries -- has utilized an unproven theory based largely on pseudo-scientific speculation. According to this theory the Rumanians are descendants of the ancient Dacians, a people whose last proven presence in the area predates the appearance of Rumanians there by nine centuries. Although this theory has little credence in the eyes of any serious non-Rumanian scholar, according to a Neue Zürcher Zeitung reporter (April 3/4, 1977, p. 3), it has been elevated to the level of State ideology.

At this point it should be noted that arguments concerning the historical priority of peoples living many centuries ago have no relevance whatsoever to the rules of international law governing the treatment of national minorities; still less can such arguments be used as an excuse for the oppression of 3.5 million minority individuals. The only reason for dealing with this theory is to point out the sinister goal which its promotion serves in Rumania today.

The theory does not stop at the assertion of Rumanian priority. Rumania's historians today stigmatize minority groups as "intruders" who upset the social and cultural order of the "original inhabitants," the Rumanians. In many cases, textbooks, travel guides and other literature actually re-christen Hungarian historical figures and make them into Rumanian national heroes having no connection with the Hungarian people. The same materials contain an almost absolute silence on the centuries of Transylvania's Hungarian history.

Another method of eradicating the Hungarian history of the region is the wholesale transformation of historic cityscapes. Presently, for example, the Rumanian government is funding the construction of a massive Rumanian Orthodox cathedral in the central plaza of the ancient, and still largely Hungarian city of Sfintul Gheorghe (Sepsiszentgyörgy). (Funds such as these are available to the officially supported Rumanian Orthodox Church -- especially if an anti-Hungarian purpose can be achieved in the process.) In order to provide the new cathedral with a sufficient view, several buildings in the historic center district of this Hungarian city are likely to be demolished. Among the buildings in inminent danger is the former county courthouse, now used to store the archives confiscated from Hungarian churches in the area.

Systematically, through such destructive techniques, the dynamism and superiority of the Rumanian people becomes "historically proven," while national minority inhabitants, lacking historical or cultural roots of comparable brilliance, are considered no more than second-class citizens. One devastating practical effect of this process in Rumania today is that minority children are taught that the cultural richness of the area is solely the result of Rumanian creativity, thereby making those children ashamed of their ethnic identity. The remaining schools which still educate children in Hungarian must use official textbooks which teach these children that their nationality has no past in the area. Without a past, by implication, this nationality can have no future -- unless, of course, it assimilates into the resplendent Rumanian people.

The notion of Rumanian superiority thus provides a convenient "scholarly" justification for implementing the massive campaign of forced assimilation against minorities, involving the vast array of discriminatory measures noted above.

CONCLUSION

The Committee for Human Rights in Rumania was organized in the belief that Congress intends to enforce section 402 of the Trade Act. Further hope was evoked in us by the emphasis on the role of human rights in our foreign policy and by the fact that Congress has repeatedly endorsed this policy.

Adherence to existing international law and full restoration of minority institutions is all we demand of the Rumanian government. We believe these demands to be fair and reasonable. The Rumanian Trade Agreement provides the United States with strong leverage to promote such noble objectives. It should be utilized to its full extent to pressure Rumania to alter its outrageous minority policies. The most effective action which this Subcommittee can now take is to adopt a resolution disapproving the President's recommendation to waive section 402 of the Trade Act with regard to Rumania.

APPENDIX A

LETTER FROM KÁROLY KIRÁLY TO ILIE VERDET, DATED FEBRUARY 10, 1980

To: Comrade Ilie Verdet
Prime Minister of the
Socialist Republic of Rumania

Two years have passed since our last conversation at your office in the company of Petre Lupu, Teodor Coman and János Vincze. Since that time, numerous events have transpired in the life of our country. The 12th Congress of the Rumanian Communist Party and the 2nd Congress of the Democratic Front of the Socialist Union have been held. Our conversation on October 4, 1977 was particularly significant. At your urgent request, I submitted a memorandum (of which you kept two copies) which summarized several key discussions and confrontations.

In essence, we agreed that I would drop the idea of forming a new organization for the co-inhabiting nationalities, whose function would have been to defend their constitutional rights. I made this concession on the condition that -- and I quote from the above-mentioned memorandum:

> "... all necessary steps are taken to guarantee the rights provided for in the Constitution and other laws, including the practical implementation of these rights in all areas -- education, cultural activity and use of the native tongue in all organizations and official bodies without discrimination of any kind -- and that disciplinary action is taken against those individuals, government employees and police officials who violate such rights.
>
> "I abandoned the idea of a new nationality statute on the grounds that the Party and government leadership will take concrete measures to respect and implement the Constitution and the laws of the Socialist Republic of Rumania. My opinion with respect to the nationality statute is that as soon as those provisions of the

> Constitution and other laws pertaining to the nationalities are implemented, in other words, when the nationalities are granted the unobstructed use of their rights, the proposal for a nationality statute becomes unnecessary. In that event, I am willing to give up the idea which was presented in my letter to Comrade Verdet.
>
> "What I do consistently maintain is that definite steps must be taken toward the elimination of the existing shortcomings and abuses, wherever and in whatever form they appear. Only in this way can a nationality feel itself at home, that its mother country, the Socialist Republic of Rumania, is a good mother, who loves each one of her sons equally, without regard to nationality."

During the discussion, you asked me to be patient, because the Party would take steps to remedy the mistakes which had been committed. I was gratified by your assertion that these steps would be implemented after a thorough and detailed analysis of the recommendations which I, and many other nationality representatives in Rumania had made. Though I did not trust entirely in these promises, I hoped and waited impatiently for the deeds to follow. Unfortunately, practically nothing has been done to solve these problems, to change the situation of the national minorities. I am now compelled by these broken promises to raise this question again. What has happened in the area of minority problems, has engendered only dissatisfaction.

- In the area of education the opportunity for children to study in the native tongue has narrowed even further. Classes in the native tongue have been eliminated, and in their place, mixed Rumanian-Hungarian, Rumanian-German, etc., classes have been set up. The discriminatory Decree Law [278] was not repealed. In the Bánát and the Mezőség region of Transylvania there are communities and cities where there is not a single Hungarian-language class, elementary or trade school. In Moldavia, in entirely Hungarian Csángó communities, no form of education in the native tongue exists.

- No improvements can be found in the higher levels of education either, where the situation is also continuously deteriorating.

- Nothing has changed for the better in the use of the native tongues of the national minorities. In the administration of justice, in the state organs, etc., the only language permitted is Rumanian. In meetings of the Party, the trade unions, the Communist Youth League, as well as in meetings of industrial or agricultural workers, all presentations are made in the Rumanian language, even where the overwhelming majority of the audience is not Rumanian. The Rumanian language remains in use even at meetings of the Nationality Workers Councils. It appears that religious service is the only occasion when the native tongue may be used without restriction. But the Moldavian Csángó villages are an exception even to this. In spite of the fact that the inhabitants are all Hungarians and Roman Catholics, they have Rumanian priests, and as a consequence, their services are conducted not in their Hungarian native tongue, but in the Rumanian language -- not to mention the fact that in the Moldavian villages inhabited by Csángó Hungarians, all forms of schooling and instruction in the native tongue have been eliminated for two decades. In the last census they were denied even the possibility of declaring themselves Hungarian and were officially declared Rumanian. Such actions would not have occured in the past, even under the most reactionary regimes.

- As regards the Nationality Councils, their activities are determined exclusively by orders from above. These Councils do not represent the interests of the nationalities. The people belonging to these nationalities cannot participate in the activities of the Councils, and do not elect Council members. The local authorities and the Party Central Committee appoint them. The Party uses these Councils to enforce its own discriminatory nationality policies. To get to the head of these Committees, one must have the following qualifications:

    - Be a man without character.
    - Be able to clap vigorously.
    - Speak only when the Party asks him to, and say what the Party wants him to say (naturally one must submit one's speeches in writing beforehand).

An extremely burning issue is the total lack of protection of the collective rights of Rumania's national minorities, whether the nationality group is large, as in the case of the Hungarians and Germans, or small as in the case of the Serbs, Russians, Turks, Bulgarians, etc. None of them enjoys collective rights.

This lack precipitates the dissolution of ethnic communities and renders their members increasingly defenseless against the policies of forced assimilation. After getting rid of the Jews, we are proceeding in the most direct way toward getting rid of the Saxons and Swabians, and finishing the denationalization of such small ethnic communities as the Armenians, Tartars, Turks, etc. All that remains is the problem of the Hungarians, which is more intricate and more difficult to solve. It was for this reason that a special strategy and tactic was worked out, which may be found -- naturally in veiled form -- among the propositions of the 10th Congress of the Rumanian Communist Party. During the Central Committee conferences which preceded the Congress, the problem of what road the Party should follow to "solve the nationality question" was raised. Three hypotheses which could be pursued toward this solution were worked out: assimilation, homogenization, integration. These propositions, accepted by the Party, upheld the idea that in Communism there is but a single nation. In Rumania, this nation will be realized through the unification (homogenization) of the socialist society, as a consequence of total assimilation carried out by any means and at any price.

Thus, the saying that "the end justifies the means" is a guiding principle. The panel working under the direction of Comrade Paul Niculescu Mizil came to the conclusion that these methods and ideas have become discredited in both theory and practice. Consequently, they proposed a new formula: "the creation of the unified socialist nation". This reactionary formulation dressed in socialist clothes, however, can no longer be found in the documents of the 11th and 12th Congress. On the other hand, other formulations were born, such as the following:

a) Let us speak the language of socialism.

b) Let us speak the language of technology -- in other words, instead of the native tongue, the national minorities of Rumania are provided a political language. Thus, the concept of the political nation was borrowed from the arsenal of 19th Century nationalism, and as a consequence, steps were taken to intensify the forced assimilation of the national minorities:

   - All community organizations with nationality characteristics were abolished.

- The Ministry whose task it was to oversee and protect the nationalities was abolished.
- The question of a nationalities statute was obviously forgotten (one has not been enacted for 25 years).
- The Hungarian Autonomous Region was abolished.
- Since 1955, education in the native tongue has been curtailed, in the beginning through merger, then through elimination.

Naturally in each case it was emphasized that these steps aim at the solidification of the fraternal unity of the Rumanian and co-inhabiting nationalities; that they reflect the most righteous policies of Marxism-Leninism for the solution of the nationality question. I think there is no reason for me to make any further remarks on the nationality policies of the RCP under First Secretary Comrade Nicolae Ceausescu. The generous over-industrialization of Transylvania, particularly of the Hungarian inhabited areas, about which so much is made, and for which so much gratitude is expected of the locals, is based on this policy.

On the excuse of a labor shortage, masses of people from Historic Rumania are brought not only into the cities, but into the villages as well. If it were true that all this is being done out of love for the nationalities, then the possibilities for study in and use of the native tongue would not be hindered. The use of the "language of socialism" and "technology" would not be required instead of the native tongue.

The propaganda of the Party employs all the means at its disposal to try to make the Rumanian inhabitants believe that the Hungarians and Germans must pay for the atrocities committed during the time of Hitler and Horthy. The truth is that the fascist system committed many offenses against the population of Transylvania, but it is much more guilty in its atrocities against the progressive forces in Hungary. Every fascist system in the world is guilty of crimes against humanity. Neither Antonescu's fascist system, nor the Maniu Guard is exempt of guilt for such crimes in 1944-45. They committed not a few crimes against the Rumanian, Jewish, Hungarian and German population. Let us not differentiate between fascisms. Neither was worse or better depending on national characteristics. The peoples whom they terrorized in equal measure cannot be held accountable for their deeds. Thus I cannot agree with raising guilt feelings in any people, be it

German, Italian, Spanish or Rumanian. To maintain such a psychosis regarding the Hungarian population is premeditated malice with political ends in mind. (See the article "The Night of St. Bartholomew", printed in Scienteia in 1978, and other articles.)

Basically, the main reason for these schemes is to mislead the masses of the national minorities, to demoralize them with confusion and disorder, and thus to disarm them totally in the face of the policy of forced assimilation. Those who try to protest nationality oppression from abroad, are renounced on the pretext of "meddling in Rumania's internal affairs".

It is time to renounce those reactionary theories and practices that discredit the accepted ones necessary for the building of a thoroughly developed society. It is time to renounce nationality policies devoid of any sincerity.

In the interest of correcting the errors and abuses committed against the nationalities and the national question, and of placing the fraternity and friendship between the Rumanian and the other nationalities on a healthy footing, I consider it necessary that the following measures be instituted:

1) Life within and without the Party must be democratized. The machinations of the totally discredited personality cult must be renounced if the nationality question is to be assured an honorable solution.

2) With regard to the nationality question:

   (a) Three official languages should be equally recognized in the Socialist Republic of Rumania: Rumanian, Hungarian and German.

   (b) A suitable Nationality Statute should be enacted.

   (c) Organizations with an elected leadership should be established for the nationalities to practice and protect their rights, as well as to serve the friendship and fraternal cooperation between the majority and the minority nationalities.

(d) In those areas where ethnic communities -- be they Hungarian, German, Serb, etc. -- are in the majority, autonomous local administrations should be established on the county or province level. Even if the Rumanian inhabitants are in a majority in the country as a whole, there are places, communities, cities, indeed entire provinces in Transylvania and the Banat, where people belonging to the various nationalities live, and where they represent the majority.

(e) Radio and television programming, and the press should be provided in three languages: Rumanian, Hungarian and German.

(f) In Transylvania the three languages should be taught in a parallel manner in the schools, and either none of them or all three of them should be mandatory.

All this I propose and insist upon, since equality cannot exist in a subordinate manner. Whatever is subordinate cannot be equal, especially in the problematic area of nation and nationality. A subordinate man cannot be equal as a citizen, he cannot be free of material, moral and intellectual oppression, he cannot be equal to his fellow man, before the Creator and the law. A just society can only exist in a country with a social system which realizes social and political equality not in words but in practice.

Only a society which has the courage to solve problems with maximum sincerity and in good faith can be free, and only such a society has the right to call itself socialist. If the Socialist Republic of Rumania carries out such measures, then it can rely on all its sons under any circumstances, whether the problem be sovereignty or the integrity of the country's borders. Only in this way can our country take its place in the ranks of civilized people, and only in this way can it realize complete unity and lasting friendship among all its citizens, regardless of nationality. The restoration of the rights of the national minorities would in no way hurt the Rumanian people. It does not conflict with their interests and aspirations. The reason the co-inhabiting nationalities have very few rights is not that the Rumanians have too many. On the contrary, it is to the detriment of all if some are lacking rights, since this lack hinders understanding.

The idea of a Rumanian nation superior to others in its past, present, and future, raises empty illusions in the majority and a feeling of inferiority in the country's other inhabitants, who do not receive equal treatment before the law. Placing questions concerning the co-inhabiting nationalities in the light of such claims to superiority brings forth Nazism with all its consequences. The time has come, Comrade Verdet, to face up to the truth, not to allow illusions to cloud our vision and not to mislead anyone with beautiful, well sounding phrases. The people of these lands have learned over the course of history not to believe words, but deeds. As the Rumanian saying goes, "An abundance of talk is poverty". Never and nowhere has there been so much talk as here, for the past few years, about democracy, equality and a just solution of the nationality question.

With faith in the future,

Károly Király

Tirgu Mures,
February 10, 1980

APPENDIX B

LETTER FROM KÁROLY KIRÁLY TO MIKLÓS VERES, DATED JULY 8, 1980

To: Comrade Miklós Veres
First Secretary of
the Maros County Committee
of the Rumanian Communist Party

I, the undersigned Károly Király, once again turn to you with the request I made in February, when I asked for permission to make a trip abroad with my family. In 1979 I made a similar request which was answered, after several months of silence and delay, as follows: "This year is the year of the 12th Party Congress." In February I wrote again to the leadership of the County Committee, requesting a passport. Earlier I had spoken with Comrade Secretary János Benkő who confirmed your agreement in theory to my travelling abroad, which is why I submitted my request in writing and wrote another letter on March 23rd of this year. Then, in April, I participated in the discussions which took place on the occasion of the visit of the American Congressional delegation, and I was promised that my request would be examined seriously and in a constructive manner. Since then, on innumerable occasions, I have turned to a County Committee member and others, all without success. I have yet to receive a final answer.

Comrade First Secretary, I understand that you would have much to do to resolve my case, that you have to obtain the approval of the highest leadership, that many questions are raised concerning my "behavior" as it is reflected abroad -- what I am going to say to those journalists who listen to me, and so on. Basically, the issue is one of suspicion and distrust. I would like to take this opportunity to make it clear that:

1. I did not create the nationality question in Rumania. It existed long before I was ever even born. If the Party leadership does not wish to deal with this question in a realistic, constructive, humanitarian and respectful manner, then the problem will become strained and acute, and this is not my fault.

2. I have said before and I will say again that from the moment the national question is solved, or at least steps are taken in that direction, those questions which I raised regarding this issue would lose their meaning, and I would no longer have any reason to maintain my views. There would be nothing left to discuss. There would be no reason to specially train the large state police detail, which does nothing day and night but keep under surveillance everywhere, everyone with whom I maintain contact.

3. Rumania would benefit greatly if the Rumanian Communist Party were to solve the national question in a just manner. Harmony between the Rumanian people and the coinhabiting nationalities would guarantee true fraternity between the ethnic communities of Rumania. This in turn would only augment Rumania's moral stature in the world.

4. We must understand clearly that the present state of the nationalities' individual and collective rights cannot last long, that forced assimilation is unrealistic, inhuman and has serious consequences, and that the policy of coercion cannot result in other than even more serious consequences.

5. If my presence represents a loss of face barring a solution to the national question, I am prepared to leave the country for a time or for good. Just as I did not besmirch the name of my homeland, I have not given up my fight for the just and definite solution of the national question, in a spirit of humanity and justice, and in keeping with the laws of the country and of international agreements.

July 8, 1980 Kăroly Kirăly

APPENDIX C

LETTER FROM ISTVÁN KIRÁLY TO THE PARTY CENTRAL COMMITTEE, DATED SEPTEMBER 1980

To: Party Central Committee,
Bucharest

I, the undersigned István Király, residing at Calea Fraternitati 5., sc. B, apt. 1, Miercurea Ciuc [Hungarian: Csikszereda], employed, for the time being, at the State Archives in Harghita [Hungarian: Hargita] County, turn to you in the following matter.

On June 9, 1980, when it came time for the Ministry of the Interior Harghita County Inspectorate's Party Chapter No. 4 -- of which I was a member -- to carry out the exchange of Party credentials, I rejected the new membership booklet, stating that I was renouncing my Party membership for the following reasons:

There is a wide chasm between the current practices of the Party leadership and the fundamental principles of the Party, as evidenced primarily in:

- the personality cult;
- the silencing of any good-faith, constructive criticism; and
- the total rejection of any sincere dialogue aimed at solving the nationality question on a basis of full equality.

At the time, I did not explain these issues in detail. I indicated only that as a Communist and a member of the Hungarian nationality, I do not and cannot approve of the personality cult, certain social practices and the actual policies employed (as opposed to theoretical abstractions voiced for tactical reasons!) vis-à-vis the nationalities.

Ignoring the fact that I had resigned voluntarily from the Party in protest against the circumstances noted above, the leadership of the local Party Chapter submitted my case to the Chapter Convention which, on July 12 of this year, at the recommendation of the Chapter leadership, adopted a resolution expelling me from the Party. Three days later, on July 14, the City's Party leadership confirmed the expulsion. In both cases, I protested the consideration of my case, since I had already resigned from the Party. There can be no doubt that to expel someone from an organization from which he has already resigned, of his own volition, violates all reason and logic. Membership in any organization is basically an agreement and as such can be dissolved by one of the parties to the agreement. The Organizational Statute of the Rumanian Communist Party contains no provisions regarding this question, thus leaving open the possibility for resignation from the Party. But the Comrades maintained precisely the opposite: that if the conditions for resignation from the Party are not explicitly provided for in the Organizational Statute, this means that one cannot resign from the Party. According to them, Party membership can terminate only through expulsion.

I doubt the validity of and reject this interpretation of the Organizational Statute. There is no place in our day and age for such remnants of ancient and medieval practices. For this reason I ask that my expulsion be nullified, as one decided by means of an unlawful resolution, and that my resignation from the Party be accepted as fact.

Why am I turning to you if I do not acknowledge the validity of the above decision? The answer is simple: This is a question of principle, whose violation casts a bad light on, and renders still more doubtful, the already shaky internal democracy of the Party. I emphasize once more: It must be the inalienable right of any person to join the Party as well as to resign from it. This right belongs in the sphere of freedom of conscience and must be treated accordingly.

In order that my behavior not appear absurd to you, allow me to outline briefly the factors which led to my July 9 decision to resign.

I come from a working class family, and was raised in a working class spirit. The goals of Marxism-Leninism,the success of Communism became objectives of my life. In 1966 I obtained a degree in history at the Babes-Bólyai University. For two years I taught in Mezőcsávás near Tirgu Mures [Hungarian: Marosvásárhely]. In 1968 I joined the Communist Youth Organization in Harghita County. It was there, in August 1968, that I joined the Party. I did so not out of self-interest or opportunism, but out of firm political conviction, kindled by the extraordinary courage with which the

Party and government openly and resolutely, before the whole world, condemned the occupation of Czechoslovakia by Soviet troops, in solidarity with the goal of Dubcek and his partners to democratize the social and political lifestream of the country.

In those years, here in Rumania as well we were witness to similar positive trends. And though the steps we took were timid, we looked with confidence to the future. Unfortunately, our expectations were crushed. The about-face occurred in 1971, after the visit of the First Secretary of the Party to China. The initial, ostensibly sincere desire to maintain a dialogue with the people, remained in form only. Dialogue became simple monologue: One side talks, teaches, instructs, gives assignments, while the other side vocally approves and glorifies the leadership. The role of the masses was reduced to approval and applause; the amassing of official titles and positions was made into a political principle; and the Workers' and Nationality Workers' Councils were reduced to paper organizations which are maintained only as window-dressing toward the outside world. Party members and the masses are manipulated as never before. The "deepening of democracy" is a further means of extending totalitarianism. Only those who blindly submit to this hypocrisy, those who are not ashamed to clap incessantly and deify the leadership, are appointed to higher positions. The youth are educated in the spirit of Adrian Paunescu and Győző Hajdú, who serve as models of desired behavior.

The chasm between theory and practice has become unbearable, at least for me. For twelve years I was a disciplined Party member. As a "good comrade" I too submitted to the principle of "democratic centralism." I was not allowed to think, only to execute assignments. This is what I did from October 1968 to November 1975, as Propaganda Secretary of the Communist Youth Organization in Harghita County, and since then, as director of the State Archives in Miercurea Ciuc. I was too cowardly -- as are so many others -- to raise my voice against all the absurdity and manipulation.

My convictions have not changed in the past twelve years, but the situation has changed a great deal. What I did on July 9, I did because I wanted to regain my self-respect as a human being, as a Communist and as a Hungarian.

I can now experience in my own case the consequences of the system of practices which I protested. On July 19 I was fired from my job. (Through underhanded pressures, I was induced to familiarize myself with the fact that I could not remain at my current place of employment.) I was constrained to turn to the Board of Education and look for a teaching job. I was given a position in the village of Csíkkarcfalva, 20 kilometers from Miercurea Ciuc. When I reported there, however, I was informed that instructions had been issued barring me from teaching Rumanian history because I am not a Party member, there being a Party directive to this effect. My rights as a citizen thus violated, I withdrew my application and resume. Thereupon I was threatened that on September 1, my work permit at the State Archives would be terminated, since orders to that effect had been received from the Ministry of the Interior, of which the archives are a part.

Such is the fate of all those who have the courage to criticize, especially if their added feature is that they are Hungarian.

I have not said all this because I expect any restitution. As a blue collar worker I will be able to support my family and share in the fate and material "abundance" of millions of workers.

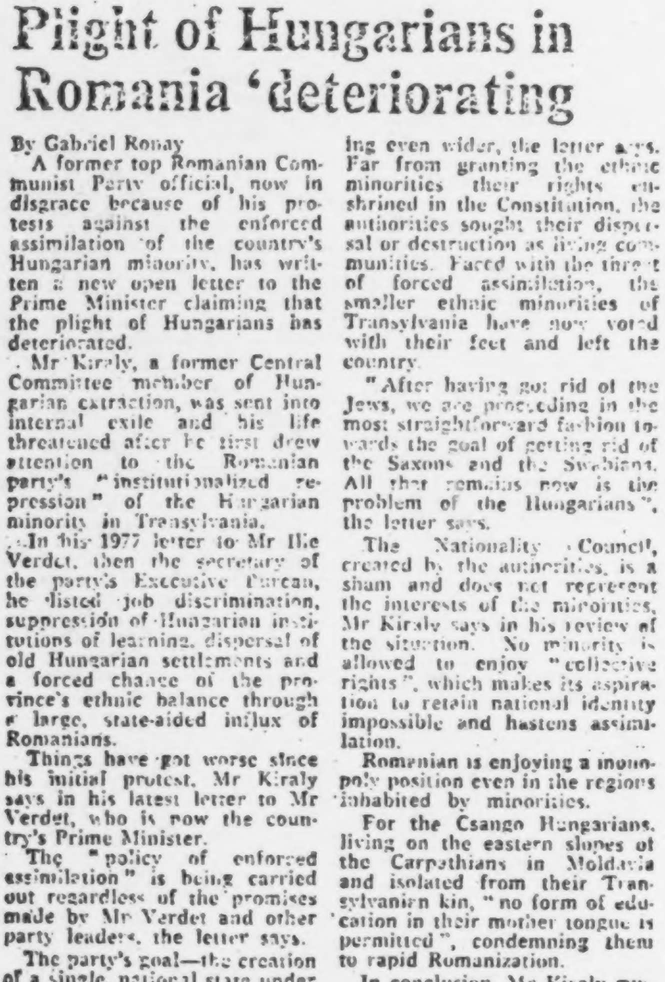
My request continues to be the one formulated in the first part of this letter: Nullify the expulsion resolution adopted by the Party organs, and acknowledge the fact that I resigned voluntarily from the ranks of that Party which consistently violates its own principles. I repeat: It is the inalienable right of any Party member to resign from the Party if he believes that its activities are not in accordance with his own convictions. I do not contest the declared principles, only their implementation.

September 1980 István Király

APPENDIX D

RECENT NEWS CLIPPINGS FROM THE WESTERN PRESS

THE TIMES
(London)
September 20, 1980



Plight of Hungarians in Romania 'deteriorating

By Gabriel Ronay

A former top Romanian Communist Party official, now in disgrace because of his protests against the enforced assimilation of the country's Hungarian minority, has written a new open letter to the Prime Minister claiming that the plight of Hungarians has deteriorated.

Mr Kiraly, a former Central Committee member of Hungarian extraction, was sent into internal exile and his life threatened after he first drew attention to the Romanian party's "institutionalized repression" of the Hungarian minority in Transylvania.

In his 1977 letter to Mr Ilie Verdet, then the secretary of the party's Executive Bureau, he listed job discrimination, suppression of Hungarian institutions of learning, dispersal of old Hungarian settlements and a forced change of the province's ethnic balance through a large, state-aided influx of Romanians.

Things have got worse since his initial protest, Mr Kiraly says in his latest letter to Mr Verdet, who is now the country's Prime Minister.

The "policy of enforced assimilation" is being carried out regardless of the promises made by Mr Verdet and other party leaders, the letter says.

The party's goal—the creation of a single, national state under communism—is being realized "as a consequence of total assimilation carried out by any means and at any price".

"The gap between the theory and practice" of the party's nationality policies was becoming even wider, the letter says. Far from granting the ethnic minorities their rights enshrined in the Constitution, the authorities sought their dispersal or destruction as living communities. Faced with the threat of forced assimilation, the smaller ethnic minorities of Transylvania have now voted with their feet and left the country.

"After having got rid of the Jews, we are proceeding in the most straightforward fashion towards the goal of getting rid of the Saxons and the Swabians. All that remains now is the problem of the Hungarians", the letter says.

The Nationality Council, created by the authorities, is a sham and does not represent the interests of the minorities, Mr Kiraly says in his review of the situation. No minority is allowed to enjoy "collective rights", which makes its aspiration to retain national identity impossible and hastens assimilation.

Romanian is enjoying a monopoly position even in the regions inhabited by minorities.

For the Csango Hungarians, living on the eastern slopes of the Carpathians in Moldavia and isolated from their Transylvanian kin, "no form of education in their mother tongue is permitted", condemning them to rapid Romanization.

In conclusion, Mr Kiraly suggests that only a change of heart by the ruling Communist Party could avert disaster. And the best way to achieve this would be to turn Romania into a genuine multi-national state of equal peoples.

THE BLADE: TOLEDO, OHIO.
SUNDAY, NOVEMBER 30, 1980

Ethnic Hungarians Uneasy In Romania

By TOM HENEGHAN

CLUJ, Romania (Reuter) — The signs at the main market of this Transylvanian city are written in Romanian, but the haggling over cabbages and paprika is mostly in Hungarian.

Romanian speakers are served in the country's official language, but the weathered peasants behind the stands make it clear they prefer the tongue their Hungarian ancestors have spoken here for centuries.

Scenes like this occur daily in the hundreds of towns and villages of western and central Romania where the country's ethnic Hungarians — officially estimated at 1.7 million or about 8 per cent of the total population — live.

The Communist government in Bucharest says the Hungarians, the German minority of about 350,000, and other groups all enjoy equal rights within this highly centralized state of 22 million.

But many Hungarian intellectuals — in Romania and in Hungary — see the situation differently, saying the Bucharest government is waging a campaign of forced Romanization and suppressing the rights of the Hungarian minority.

A tour of this city of 260,000 shows few signs of Hungarian influence, even though it was considered important enough to be the location of a new Hungarian consulate — the first Soviet bloc consulate in a minority area of a neighboring Warsaw Pact state.

Romanian Signs

Almost one-quarter of the population is of Hungarian origin but with the exception of a few historical plaques, all public signs are written in Romanian.

About 20 per cent of all books and newspapers sold are in Hungarian, but they are all printed in Romania. While newspapers from other Communist countries are openly sold, the products of Hungary's printing presses are nowhere to be found.

It is difficult to get an objective judgment on what these facts really mean, especially since officials are reluctant to talk about it.

The government's position is that they reflect the proportional representation of a minority, while the traditionally nationalistic Hungarians — who contest the official count of 1.7 million Hungarians and say there must be more than 2 million in Romania — insist the ethnic group is being suppressed.

Official statistics show that the government clearly tries to provide services in proportion to the Hungarians' position as 8 per cent of the total population.

About 8.5 per cent of all primary and secondary schools are taught in Hungarian, about 7.5 per cent of all radio broadcasts are in Hungarian, and about 6 per cent of all university students are of Hungarian origin. Some subjects can be studied in Hungarian in universities in Cluj and in Tirgu Mures, another Transylvanian city.

Protest Letter

But, according to a protest letter written this spring by a former Communist party central committee member, Karoly Kiraly, the situation of the Transylvanian Hungarians has deteriorated in recent years.

Mr. Kiraly, a 50-year-old of Hungarian origin, complained to Prime Minister Ilie Verdet that the state was forcing the Romanization of the population through restrictions on Hungarian-language education and use of Romanian for all official dealings.

This was the second letter that Mr. Kiraly, who retired from the central committee in 1972, has sent to Mr. Verdet. His first protest in 1977 brought harassment from Romanian authorities but private acclaim from Budapest intellectuals, who began publishing articles in their more liberal press expressing concern for their Transylvanian relatives.

SCHAFFHAUSER NACHRICHTEN
(Schaffhausen, Switzerland)
January 1, 1981

Rumänien

Politbüro-Kandidat Károly Király darf nicht ins Ausland reisen

Die zuständigen rumänischen Stellen verweigerten ohne Angabe von Gründen dem führenden Kandidaten des Politbüros der KPR und prominenten Vertreter der etwa 2 Millionen Seelen zählenden ungarischen Minderheit in Rumänien, Károly Király, die Erteilung der Ausreisegenehmigung, obwohl er um diese mehrmals angesucht hatte.

Von unserem tml.-Osteuropa-Korrespondenten

Király kam mit der Parteiführung das erste Mal 1978 in Konflikt, als er in einem an den gegenwärtigen Ministerpräsidenten, Ilie Verdet, gerichteten Brief die Unterdrückung der nationalen Minderheiten verurteilte und ihn darauf aufmerksam machte, dass diese Politik eines Tages auf die Einheit des rumänischen Staates schädliche Auswirkungen haben könnte. Er schlug der Parteifühung eine Revision der bisherigen Nationalitäten-Politik im Sinne der Verfassung und der Vereinbarungen von Helsinki über die Menschenrechte vor. Die Parteifühung beantwortete die Vorschläge Királys damit, dass er seine Stellung verlor und in einem entlegenen Dorf während längerer Zeit interniert wurde. Seitdem konnte Király zwar in seine Heimatstadt Tirgu Mures nach Siebenbürgen, wo er als Direktor der Konservenfabrik «Muresenii» tätig ist, doch wird er von der Polizei nach wie vor streng überwacht.

Wie Beschwerden unter Genossen behandelt werden

Király reichte beim Ersten Sekretär des Komitatsparteikomitees, Miklós Veress, am 8. Juli 1980 eine Beschwerde ein. In dieser teilte er mit, dass er das erste Mal 1979 um eine Ausreisebewilligung nach Ungarn, der Bundesrepublik und der DDR zwecks Besuchs seiner dort lebenden Verwandten angesucht hatte. Nach mehrmonatigem Schweigen wäre sein Gesuch damals mit der Begründung abgelehnt worden, dass die KPR sich auf ihren 12. Kongress vorbereite und keine Zeit habe, sich mit seinen Angelegenheiten zu beschäftigen. Nach einer Rücksprache mit der zuständigen Stelle im Komitatsparteisekretariat im Februar 1980 suchte Király erneut um das Visum an, nachdem ihm dieses prinzipiell in Aussicht gestellt worden war. Da er jedoch bis 23. Mai weder das Visum noch eine Antwort erhielt, reichte er ein drittes Gesuch ein. Doch folgte auch auf diese Angabe trotz mehrmaliger Reklamationen keine Reaktion.

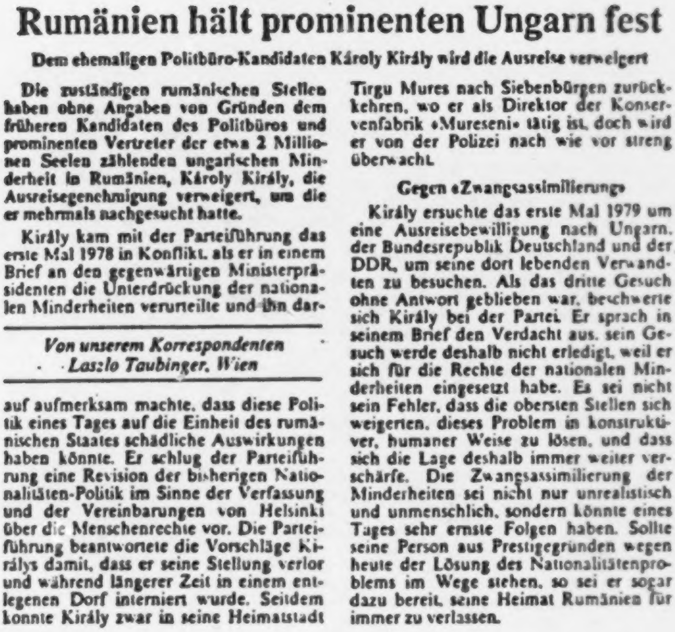
Király beschloss daraufhin, sich beim Ersten Sekretär des Parteikomitees zu beschweren. Er sprach in seinem Brief den Verdacht aus, dass sein Gesuch deshalb nicht erledigt würde, weil er sich für die Rechte der nationalen Minderheiten eingesetzt habe. Er betonte dabei, dass nicht er die umstrittene Nationalitätenfrage in Rumänien kreiert, sondern dass diese schon existiert habe, bevor er geboren wurde. Es sei nicht sein Fehler, dass die obersten Stellen sich weigerten, dieses Problem in konstruktiver, humaner Weise zu lösen, und dass sich die Lage deshalb immer weiter verschärfe. Würde die Partei das Problem realistisch, entsprechend seiner früheren Vorschläge behandeln, so könnte man vieles zugunsten des Staates und der Partei ändern.

Kopie eines Briefes an KSZE-Konferenz in Madrid

Király unterstrich neuerlich, dass die dauernde Verletzung der individuellen und kollektiven Rechte der Minderheiten zu nichts Gutem führen könnte. Die Zwangsassimilierung der Minderheiten sei nicht nur unrealistisch und unmenschlich, sondern könnte eines Tages sehr ernste Folgen haben. Sollte seine Person, Prestigegründe wegen, heute im Wege der Lösung des Nationalitätenproblems stehen, so sei er sogar dazu bereit, seine Heimat Rumänien für immer zu verlassen. Er verlasse sein Land nicht, doch er gebe seinen Kampf für die Achtung der Rechte der Minderheiten nicht auf, zu der sich der Staat in der Verfassung und in internationalen Verträgen verpflichtet habe.

Angesichts der KSZE-Nachfolgekonferenz in Madrid ist der Inhalt dieses Briefes, dessen Kopie kürzlich in den Westen gelangt ist, von grösster Bedeutung, da er nicht nur die Verletzung der Menschenrechte im Fall Király beweist, sondern praktisch auch die Anklage gegen das Regime Ceausescus von 2 Millionen Ungarn und mehreren hunderttausend rumänischen Staatsbürgern deutscher Nationalität beinhaltet.

DER BUND
(Bern, Switzerland)
January 7, 1981



Rumänien hält prominenten Ungarn fest

Dem ehemaligen Politbüro-Kandidaten Károly Király wird die Ausreise verweigert

Die zuständigen rumänischen Stellen haben ohne Angaben von Gründen dem früheren Kandidaten des Politbüros und prominenten Vertreter der etwa 2 Millionen Seelen zählenden ungarischen Minderheit in Rumänien, Károly Király, die Ausreisegenehmigung verweigert, um die er mehrmals nachgesucht hatte.

Király kam mit der Parteiführung das erste Mal 1978 in Konflikt, als er in einem Brief an den gegenwärtigen Ministerpräsidenten die Unterdrückung der nationalen Minderheiten verurteilte und ihn darauf aufmerksam machte, dass diese Politik eines Tages auf die Einheit des rumänischen Staates schädliche Auswirkungen haben könnte. Er schlug der Parteiführung eine Revision der bisherigen Nationalitäten-Politik im Sinne der Verfassung und der Vereinbarungen von Helsinki über die Menschenrechte vor. Die Parteiführung beantwortete die Vorschläge Királys damit, dass er seine Stellung verlor und während längerer Zeit in einem entlegenen Dorf interniert wurde. Seitdem konnte Király zwar in seine Heimatstadt Tirgu Mures nach Siebenbürgen zurückkehren, wo er als Direktor der Konservenfabrik «Mureseni» tätig ist, doch wird er von der Polizei nach wie vor streng überwacht.

Von unserem Korrespondenten
Laszlo Taubinger, Wien

Gegen «Zwangsassimilierung»

Király ersuchte das erste Mal 1979 um eine Ausreisebewilligung nach Ungarn, der Bundesrepublik Deutschland und der DDR, um seine dort lebenden Verwandten zu besuchen. Als das dritte Gesuch ohne Antwort geblieben war, beschwerte sich Király bei der Partei. Er sprach in seinem Brief den Verdacht aus, sein Gesuch werde deshalb nicht erledigt, weil er sich für die Rechte der nationalen Minderheiten eingesetzt habe. Es sei nicht sein Fehler, dass die obersten Stellen sich weigerten, dieses Problem in konstruktiver, humaner Weise zu lösen, und dass sich die Lage deshalb immer weiter verschärfe. Die Zwangsassimilierung der Minderheiten sei nicht nur unrealistisch und unmenschlich, sondern könnte eines Tages sehr ernste Folgen haben. Sollte seine Person aus Prestigegründen wegen heute der Lösung des Nationalitätenproblems im Wege stehen, so sei er sogar dazu bereit, seine Heimat Rumänien für immer zu verlassen.

[Translation from German]

RUMANIA RESTRAINS PROMINENT HUNGARIAN

Former Politburo Alternate Member Károly Király Is Forbidden To Leave Country

Despite repeated requests and without giving any reason, the Rumanian authorities have denied Károly Király, the former alternate member of the Politburo and prominent spokesman for the roughly two million strong Hungarian minority in Rumania, permission to leave the country.

Király first came into conflict with the Party leadership in 1978, when, in a letter to the current Prime Minister, he denounced the subjugation of the national minorities and pointed out that this policy could one day have harmful effects on the unity of the Rumanian state. He suggested to the Party leadership that the nationality policy be revised in the spirit of the Constitution and the human-rights-related Helsinki Accords. The Party leadership responded by depriving Kiraly of his job and placing him under house arrest in a distant village. Király has since been able to return to his native city of Tirgu Mures in Transylvania, where he is manager of the "Mureseni" canned goods factory, but he continues to live under strict police surveillance.

Against "Forced Assimilation"

Király first requested permission to visit relatives in Hungary, the Federal Republic of Germany and the German Democratic Republic in 1979. After his third request went unanswered, Kiraly complained to the Party. In his letter he expressed the suspicion that his request was not being processed because he had defended the rights of the national minorities. He pointed out that it was not his fault that the highest authorities refused to solve this problem in a constructive and humane manner and that for this reason the situation continued to deteriorate. The forced assimilation of the minorities was not only unrealistic and inhuman, but could one day result in very serious consequences. Király even offered to leave his homeland, Rumania, for good in the event that, for prestige reasons, his presence were to constitute an impediment to solving the nationality problem.

TESTIMONY BY Z. MICHAEL SZAZ, PH. D., STUDIES PROGRAM DIRECTOR, AMERICAN FOREIGN POLICY INSTITUTE

Mr. Chairman! This is my tenth testimony as an expert witness before either the Senate Finance Committee or its Subcommittee or House Ways and Means Commitee or its Subcommittee on Trade on the Most Favored Nations Status of Romania.

Since 1965, I followed the events in Romania, especially those relating to the Hungarians and Germans of Romania, and visited the Transylvanian region and Bucharest in 1976 at the invitation of Ambassador Harry Barnes. I returned there for a research trip in August 1978. Thus, I am talking both as a scholar and a witness with first hand knowledge, having met with most of the Hungarian and German nationality leaders and many of the high-ranking Romanian officials both in Bucharest and in Transylvania.

Today the question before the Committee is whether to renew the Most Favored Nations Status of Romania. The question involved is also of legislative intent of the 1974 Act: did the Senate by adopting the Jackson Amendment include human rights in general into the considerations the President and Congress have to make in order to determine eligiblity for MFN status, or should the considerations be restricted strictly to freer emigration from the countries enjoying the benefit of MFN status?

Reading the Act (Section 402), the conclusion must be that fundamental human rights over and beyond freer emigration rights are definitely involved in the review process. The Section refers to the aim of the legislation "to assure the continued dedication of the United States to fundamental human rights."

If, however, the broader issues of fundamental human rights enjoyed by the citizens of Romania, were to be the landmark, there is little question that serious problems would arise.

Other witnesses before the House Subcommittee already explained the difficulties people, Romanians, Jews and others are experiencing in leaving the Socialist Republic of Romania and that there are also hundreds, if not thousands, of cases of family reunification which must be resolved in order that Congress may truthfully renew the MFN status of Romania in view of the Act and the Helsinki Accords (Basket III).

The question of free emigration is, however, not the only concern. Ever since 1958 and even more since 1974, the Romanian Government pursues a nationality policy which is clearly directed toward the eradication of nationality culture, dispersal or dilution, by settling Romanians in their midst, of the remaining Hungarian enclaves in Transylvania, particularly the Szeklerland. In addition a salami tactic is applied since 1958 on the Hungarian language school sections in Transylvania. Bilingualism, guaranteed by the Romanian Constitution is almost extinct, and the churches of the Hungarian and German nationalities (Roman Catholic, Lutheran and Reformed) are gravely restricted in their activities and administratively controlled by the Romanian authorities.

The situation created some internal dissent by 1977–78 which was, however, either "solved" by police measures, resulting in the suicide of one high school professor of Hungarian nationality in Brasov (Brassö), or by the ostracism and harassment which Charles Király, the former Vice Chairman of the highest (but completely ineffective) Hungarian Federation of Workers expressed in his letters to János Vincze and Ilie Verdet (now the prime minister of Romania). These letters, and also a later letter of 1980 to Ilie Verdet were smuggled out and published in the Western press in 1978 and 1980 rendering Király, after the emigration of Paul Goma, to be the foremost dissident in Romania whom I was forbidden to see on the 1978 trip.

The underlying basis for the Romanian policies are Romanian nationalism which is always directed against the Hungarians (and in the past also against the Russians), Romanian atheistic communism which cannot tolerate any, even half-way free churches in the country and last but not least, Communist centralism which fails to take the provincial, and countywide nationality differences into account.

Other testimonies will give the statistical details on education and cultural institutions. At this juncture, I would only like to give you some of my personal impressions. In Cluj (Kolozsvár), the former capital of Transylvania, there is only one lycée left with Hungarian sections. The remainder was converted into trade and vocational schools between 1975–77. At these schools, in the fall of 1978, there were practically no textbooks in Hungarian and in many cases the students were taught by Romanian professors who added a Hungarian glossary to the Romanian textbooks. And this was claimed to be by the Romanian authorities as Hungarian-language instruction. In the sections where Hungarian nationality teachers were employed, they were usually engineers called in from the mines and factories, and as Romania hardly had any trade and vocational instruction in Hungarian for two decades, they were linguistically unable to teach the subject in Hungarian. This statement comes from Edgar Balogh, former Rector of the Bolyai University in Cluj (Kolozsvár), a Communist Party member since 1917, and was not proven otherwise during my sojourn in Cluj (Kolozsvár).

Mr. Chairman: Hungarian-language instruction in Transylvania is not the request of a pesky minority which could be disregarded. First, it is guaranteed in the Romanian Constitution and the basic legislative acts of the country. There are approximately 2.5 million Hungarians in Romania, all but 200,000 living in Transylvania. The Hungarian school system is almost a millennium old in Transylvania which, until 1919, belonged directly or indirectly to Hungary and was ruled by Hungarians with some admixture of German Saxons.

The people of Transylvania thus are part of a nationally mixed population where the nationalities have always been entitled to instruction in the native language whatever the rule, until the actions during the recent twenty years by the Romanian Government aimed at withering away Hungarian-language instruction.

This process is looked upon with the gravest concern by the intellectual leaders of the Hungarian nationality in Romania. While conditions do not permit us to mention names, several of them expressed their fear that no intellectual change of guard will be possible if the new generation will know the Hungarian language imperfectly, or not at all.

The next great danger to the survival of Hungarian and German ethnicity in Transylvania is the demographic intermingling in formerly purely Hungarian areas (there are no more purely German areas left) by industrialization and by employing workers, skilled and unskilled and engineers, in the new factories from all areas of Romania.

This was taking place since 1948 already, but was explained away by the Romanian authorities that the Transylvanian cities which were Romanized had a Romanian rural hinterland and that industrialization tempted the villagers to move to the cities. Between 1975 and 1981, however, not only the Transylvanian cities with Romanian hinterland, but the two most Hungarian cities of the Szeklerland—which even in 1975 was about 80 percent Hungarian—were increasingly Romaniz Miercurea Ciuc (Csikszereda) had 10 percent Romanians in 1970, 30 percent in 1976 and by now close to a majority. Sfintu Gheorghe (Sepsiszentgyörgy was over 90 percent Hungarian in 1970, 90 percent in 1976 and now only 66 percent. There are no Romanian villages within a 20 miles radius from any of these cities.

The leadership of the nationality churches is either controlled very strictly, or is composed with collaborationists. I personally met twice with both bishops of the

Hungarian Reformed Church (I was not given the opportunity to meet Roman Catholic Bishop Aaron Marto or his successor Bishop Andrew Jakab). My impressions were that the Bishop of Oradea (he is also a member of the Romanian Grand National Assembly) is following the Party line almost 100 percent despite his evangelical expressions of faith. The other bishop is so controlled that in 1976 he was only allowed to meet me in the presence of the representative of the State Office of "Cults" despite the fact that I was visiting him in the presence of two Romanian diplomats from the Foreign Ministry.

There are many other aspects I could elaborate on if you were to ask me questions, but I would like to add that denial of fundamental human rights, the right of assembly, speech, religion and political expression are not restricted to nationalities, but form a persistent pattern of life in Romania and that the coexistence between Romanians and Hungarians is not always of a negative character.

The State Department raised the issue sometime with the Romanian Government which steadfastly denies any ethnic oppression in Romania. The State Department itself speaks of local excesses rather than deliberate policies. To tell you the truth, in view of the available evidence, and in view of the fact that the competent American diplomats in Bucharest know better (this I am aware of through my personal conversations with them), I believe that this has been due to the efforts of the Ford and Carter Administration to play down our differences witn Romania. Indeed, I hope that the present Administration while trying to cultivate correct relations with Romania, would not shy away from discussing human rights issues in Romania which are very pertinent to our dedication to these rights.

At this point, it would be my recommendation to use the MFN status talks as a handle to impress upon the Romanian authorities our commitment to fundamental human rights, including the preservation of one's cultural and linguistical heritage. Without them paying increasing attention to them, I foresee not an improvement but a rather sharp deterioration of our relations with Romania which would not be in the interest of Bucharest either.

Thank you, Mr. Chairman!

Senator **Danforth**. The next witness is Mr. B. Niculescu, chairman, American-Romanian Cultural Foundation, Inc.

STATEMENT OF B. NICULESCU, CHAIRMAN, AMERICAN-ROMANIAN CULTURAL FOUNDATION, INC.

Mr. **Niculescu**. Mr. Chairman and members of the distinguished Committee on Finance, I am Mr. B. Niculescu and with me is Mr. T. Lempicki.

We represent the American-Romanian Cultural Foundation, of which I am its chairman and president.

Mr. Lempicki is its cochairman and vice president.

Our foundation's patrons, trustees, membership and friends are all distinguished Americans from all professional fields. Our common bond is our interest in America's foreign policy with emphasis being on our relations with Romania.

As in the past years, we join the President and other Government officials in favorably recommending continuation of waivers permitting extension of MFN trade status for Romania.

There are many valid reasons to support further extension of MFN but the overall conclusion is the clear fact that it is in America's best interests that we continue to expand our relations with Romania.

Since MFN was granted several years ago, America's relations with Romania have expanded significantly. Most favored nation was a major factor in establishing the relationship which led via open and candid dialog to development of mutual trust, respect, cooperation and progress in not only trade matters, but also in sensitive areas such as political security and human rights areas.

While the social, cultural and political systems differ significantly, both America and Romania proved that two countries with such different structures can trust, respect and work together not only for their own mutual benefit, but also that of all mankind.

Romania's overall performance these past years has proven its sincerity and desire to continue this relationship with America.

A very important fact that must be properly considered is the close similarity of America's and Romania's foreign policy.

When considering this it must be recognized that this similarity exists even though Romania is an Eastern European nation with a different political structure.

Similarities in foreign policy include major items such as encouraging every country's people to resolve in a nonviolent manner their own problems; encouraging each country to choose its own form of govenment, et cetera.

Our Government representatives in past hearings mentioned that both America and Romania worked closely on many such problems in various countries and that Romania's cooperation and performance convinced them that they were sincerely committed to this similar foreign policy.

We have no similar relationship with any other Warsaw Pact nation, in Europe, like we have with Romania.

We should also recognize that Romania's foreign policy prohibits supplying arms and advisers to countries in crisis and that none has been found in El Salvador. It also publicly denounced Russia's invasion of Afghanistan.

Romania's foreign policy toward underdeveloped nations is highly respected by these same nations. This is a very distinct advantage that can have many benefits for America.

We must also recognize that since most favored nation status was granted there has been an overall improvement in the area of emigration from Romania.

Our State Department carefully monitors this subject and has testified that this overall improvement has occurred even though Romania does not encourage emigration but does permit emigration to occur.

Changes to Romania's emigration policy and practices have been incorporated in recent years. We must give proper credit to our State Department and to the existence of most favored nation and other trade agreements for this significant advance in emigration.

Because our time is running short, we summarize our position as being in favor of extension of most favored nation tariffs to Romania on the basis of past performance by Romania and that to do so is clearly in America's best interests.

Senator **DANFORTH**. Thank you very much, sir.

That concludes the testimony for today. I have a letter from Senator Jackson and a statement from Senator Tsongas, which will be made a part of the record.

UNITED STATES SENATE,
Washington, D.C., July 22, 1981.

Hon. JOHN C. DANFORTH,
Chairman, Subcommittee on International Trade, Committee on Finance, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR JOHN: In connection with the July 27 hearing of your Subcommittee, I welcome the chance to provide you with my views on the extension of our present trading relationship with Romania, Hungary and China.

As the members of your Committee are aware, in its concern for international human rights, the Congress has put special emphasis on the right to emigrate. Of all the individual liberties contained in the UN Declaration of Human Rights, none is more fundamental than that in Article 13—the right to free emigration. It is the life-saving liberty of last resort for individuals or religious or ethnic groups who either cannot tolerate or be tolerated by their own governments. It is not interference in the internal affairs of another country to encourage respect for the right to emigrate, which has been affirmed in solemn international agreements and is part of the body of international law.

I believe the original cosponsors of the Jackson-Vanik amendment—and its host of supporters—can be gratified as our amendment encourages greater regard for the right to emigrate.

I support the extension of the waivers applicable to Romania, to Hungary and to China as requested by President Reagan, and I want to add a few words on Romania and China.

We Americans have a clear interest in a strong, politically effective Romania, capable of an independent position on key foreign policy issues. In many respects the concerns of our two countries run parallel, including the opportunities for mutually helpful trade. The United States is presently the third trading partner for Romania. Certainly, it serves our national interest to encourage Romania—as well as Hungary and other East European nations—to exercise its right to greater freedom as a soverign state in the face of Soviet military power and Soviet political pressure.

I do not forget that Romania was the first to choose cooperation with us in accepting the terms of the Jackson-Vanik amendment as one of the bases of increased trade with the United States. In 1980, as the Administration reports, more than 2,800 persons emigrated from Romania to this country, nearly seven times the pre-MFN level and almost twice the 1979 level. The Romanian emigration to West Germany remains high, although it is slightly below last year's record rate. The Romanian emigration to Israel, however, has fallen off substantially and low rates in the early months of this year are of special concern.

It is necessary for the Romanian leadership to do much better with respect to emigration to Israel. I have emphasized this matter in talks this year with Romanian officials. They should more than double the annual number they are approving for emigration to Israel.

I have also urged them to simplify and shorten the Romanian emigration application process, end all harassment of the applicants, and finally resolve the still outstanding hardship cases.

I share the view of the Administration that continuation of the waiver for Romania will give us the context in which to further urge the government to take very seriously our concern over emigration to Israel, emigration procedures, and cases of special hardship.

With respect to China, the members of your Committee are doubtless aware that I strongly advocated the U.S.-China trade agreement providing for the extension of most-favored-nation treatment and access to official credits. It has laid the basis for the increase of trade and financial ties between our two countries, with important mutual benefits. It gives United States' firms a better position to compete with firms from other nations.

Also, the PRC chose to cooperate with us in giving the assurances regarding its future emigration practices called for as a condition of the waiver of Jackson-Vanik. And this cooperation is enhancing the personal freedom for many Chinese wishing to emigrate or visit abroad and contributing to the economic well-being of the Chinese people.

As reported by the Administration, American posts in China issued 3,400 immigrant visas in fiscal year 1980, and over 12,800 non-immigrant visas for business, study and family visits. More than 5,000 Chinese have come to this country since 1979 for long-term study and research. Our own numerical limits imposed on entry of immigrants to this country by our immigration law continue to be more of a hindrance to immigration from China than PRC exit limitations.

I appreciate this opportunity to express my support for the continuation of the waivers to these three countries.

With good wishes.

Sincerely yours,

HENRY M. JACKSON, *U.S. Senator.*

TESTIMONY OF SENATOR PAUL E. TSONGAS BEFORE SENATE FINANCE COMMITTEE'S SUBCOMMITTEE ON INTERNATIONAL TRADE

Mr. Chairman, today the Committee is considering an issue that has tremendous impact on relations between the United States and Romania—whether to extend the waiver of the Jackson-Vanik Amendment and grant Most Favored Nation MFN status to Romania.

Mr. Chairman, I want to make it clear that I support the extension of MFN to Romania. Our history of trade with Romania has been an excellent one. As you know, Romania was first granted MFN status in the 1975 U.S.-Romania Trade Agreement. Since then, trade with Romania has increased from $448 million in 1976 to over $1 billion in 1980. We are currently Romania's second largest trading partner in the free world, and the balance of payments between our two countries is heavily in our favor.

The granting of Most Favored Nation status has also produced other benefits. Our relations with Romania in the economic, political, cultural, and social spheres are much closer today than they were before the granting of MFN. Romania has signed the Final Act of the Helsinki Accords and is the first Warsaw Pact country to permit a delegation from Amnesty International to visit and assess the human rights situation there. In the international sphere, Romania has established diplomatic relations with Israel, has refused to recognize the Vietnamese-backed regime in Kampuchea, and has even criticized the Soviet invasion of Afghanistan.

Mr. Chairman, Romania has been valiant in it efforts to protect the human rights of citizens in other parts of the world. However, I am concerned about human rights violations within Romania itself, especially its immigration policy.

The procedure for emigration from Romania is time-consuming and prohibitively difficult. Potential emigrants from Romania must go through a long, complicated, double-tiered procedure before they receive a visa. Before MFN was granted, all any individual who wanted to emigrate had to do was to fill out a long form. Now an individual requesting an exist visa must first receive a pre-application form—which itself is hard to obtain—and then fill out a visa application. Pre-application forms are obtainable only at police stations. They must be submitted with certificates of birth and marriage, statements of consent by employers, and documents establishing that the applicant is not in debt to the state or subject to criminal prosecution. Before a person is allowed to emigrate, he must appear before special "People's Commissions" composed of party officials, police authorities, neighbors, employers, and co-workers. They interrogate him on his reasons for leaving and attempt to dissuade him. The whole process—from applying for a pre-application form to actually leaving the country—can take years.

The difficulties that a person trying to emigrate faces are not just procedural. Potential emigrants risk severe reprisals, including loss of property, apartment, and job. They may be demoted; their salary may be cut. They may be expelled from their school or university. In some cases, applicants report police surveillance, mail interception, telephone tapping, and repeated threatening telephone calls. At least one person has been involuntarily committed to a psychiatric hospital for his attempt to leave.

There also are reports that potential emigrants have been imprisoned on trumped-up charges such as "disturbing the peace," "homosexual acts," and "embezzlement."

In some cases, people have tried to bypass the bureaucratic maze by escape into Yugoslavia. If caught by Yugoslavian border guards, they have faced sentences ranging from 6 months to 3 years.

Despite all these procedural obstacles, immigration to the United States and West Germany has stabilized at the respectable rates of 3,000 and 11,000 per year. These figures do represent improvements in Romania's policy with respect to emigration for non-Jews. Immigration to Israel, however, has dropped steadily since MFN was first granted and is now at a critically low level. From over 4,000 yearly during 1973 and 1974, immigration dropped to 1,000 per year in the late '70s. In the first 6 months of this year, only 330 people have been permitted to go to Israel. This monthly average of 47 is significantly lower than the immigration rates for any previous year.

The State Department estimates that there are 40,000 Jews living in Romania. Other estimates range as high as 70,000. Although some of the Jews living in Romania are old or retired and do not desire to emigrate, many desperately want to leave. The International League for Human Rights, which is testifying here today, has documented almost 140 cases of individuals who desire to immigrate. Some of these individuals are Jews. Some of them have asked for permission to immigrate many times. Still they wait. Many of them have family members who emigrated in the years before MFN was granted and whom they desire to rejoin. In light of these figures, current immigration to Israel appears to be very low.

Mr. Chairman, Romania has been very responsive to our inquiries about human rights violations in the past, and MFN status has certainly contributed to our good relations with this country. But a human rights policy is more than a favorable response to inquiries about selected victims. Our relations with Romania have not helped the many hundreds, even thousands, of Jews who have given up in their efforts to emigrate, or who are afraid of reprisals if they try to emigrate, or who have not gotten attention in the West. Only a change in Romanian policy on emigration can accomplish this.

Mr. Chairman, I believe that these are important issues—ones that this Committee should examine as it begins deliberation on whether to extend the President's waiver authority in this case. I hope that the decrease in immigration to Israel and the procedural obstacles that potential emigrants have faced in the past year do not represent continuing trends in Romania. We must encourage the Romanian government to deal with these affronts to basic human rights that are a barrier to better relations between our two nations.

Senator **Danforth**. Thank you.

Mr. **Niculescu**. Thank you.

[The prepared statement of Mr. Barbu Niculescu follows:]

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Vice President

STATEMENT OF MR. BARBU NICULESCU REPRESENTING THE AMERICAN-ROMANIAN CULTURAL FOUNDATION

BEFORE THE

SENATE COMMITTEE ON FINANCE,

SUBCOMMITTEE ON INTERNATIONAL TRADE

REGARDING

CONTINUING MOST-FAVORED-NATION TARIFF TREATMENT OF IMPORTS FROM ROMANIA

JULY 27, 1981

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MR. C. MALAXA
Vice President

SUMMARY: Continuing Most Favored Nation Trade Tariff Treatment of Imports From Romania

RECOMMENDATION: The American-Romanian Cultural Foundation joins with President Ronald Reagan and our State and Commerce Departments in favorably recommending further extension of Most Favored Nation Tariff Treatment for Romania.

BASIS FOR RECOMMENDATION: Overall basis for this favorable recommendation to further extend MFN is that such extension is clearly in America's best interests. A few of many key facts reflected by this overall recommendation are as follows:

1. Many of Romania's major foreign policies and objectives are very similar to those America reflects in our own foreign policies and objectives. This is supportive to America's foreign policies as applied worldwide.

   Our State Department in past hearings stated that Romania and America were in past years able to successfully cooperate and work together in many of these similar areas on projects worldwide. The State Department felt that such policies and cooperation were sincere on Romania's part.

2. Annual trade has passed the $1 billion dollar level and continues to grow. America's exports to Romania exceeded $700 million with the natural result being a significant favorable balance of payments position for America.

3. Overall emigration from Romania has experienced significant growth since MFN was first granted.

4. Romania has complied with all commercial agreements entered into with America. No dumping, etc. problems.

5. Romania strongly objected to Russia's invasion of Afghanistan. Romania is not a supplier of arms, munitions or advisors to any nation in crisis such as El Salvador.

6. Romania's favorable position with third world nations has obvious potential benefits to America.

The detail statement (attached) clearly discusses all pertinent items that support further extension of MFN status to Romania.

July 27, 1981

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July 27, 1981

STATEMENT OF MR. BARBU NICULESCU REPRESENTING
THE AMERICAN-ROMANIAN CULTURAL FOUNDATION

Hearings Before The Subcommittee On International
Trade, Committee On Finance, U.S. Senate

Regarding

Continuing Most-Favored-Nation Tariff
Treatment of Imports From Romania

SUMMARY STATEMENT:

Mr. Chairman and members of this distinguished Subcommittee.

I am Mr. Barbu Niculescu and with me is Mr. Thad Lempicki. We represent the American-Romanian Cultural Foundation of which I am its Chairman and President. Mr. Lempicki is its Co-Chairman and Vice President. Our foundation's patrons, trustees, membership and friends are all distinguished Americans from all professional fields. Our common bond is our interest in America's foreign policy with emphasis being on our relations with Romania.

As in past years, we join the President and other government officials in favorably recommending continuation of waivers permitting extension of MFN trade status for Romania.

There are many valid reasons to support further extension of MFN but the overall conclusion is the clear fact that it is in America's best interests that we continue to expand our relations with Romania. Since MFN was granted several years ago, America's relations with Romania have expanded significantly. MFN was a major factor in establishing this relationship which led via open and candid dialogue to development of mutual trust, respect, cooperation and progress in not only trade matters but also in sensitive areas such as political, security and human rights areas. While the social, cultural and political systems differ significantly, both America and Romania proved that two countries with such different structures can trust, respect and work together not only for their own mutual benefit but also that of all mankind. Romania's overall performance these past years has proven its sincerity and desire to continue this relationship with America.

A very important fact that must be properly considered is the close similarity of America's and Romania's foreign policy. When considering this it must be recognized that this similarity exists even though Romania is an Eastern European nation with a political, social and cultural structure that is completly different from ours. Similarities in foreign policy include major items such as encouraging every country's people to resolve in a non-violent manner their own problems; encouraging each country to choose its own form of government; etc. Our government representatives in past hearings mentioned that both America and Romania worked closely on many such problems in various countries and that Romania's cooperation and performance convinced them that they were sincerely committed to this similar foreign policy. We have no similar relationship with any other Warsaw Pact nation.

We should also recognize that Romania's foreign policy prohibits supplying arms and advisors to countries in crisis and that none has been found in El Salvador. It also publicly denounced Russia's invasion of Afghanistan.

Romania's foreign policy toward underdeveloped nations is highly respected by these same nations. This is a very distinct advantage that can have many benefits for America.

We must also recognize that since MFN was granted, there has been an overall improvement in the area of emigration from Romania. Our State Department carefully moniters this subject and has testified that this overall improvement has occurred even though Romania does not encourage emigration but does permit emigration to occur. Changes to Romania's emigration policy and practices have been incorporated in recent years. We must give proper credit to our State Department and to the existence of MFN and other trade agreements for this significant advance in emigration.

We must also recognize the obvious value of trade between America and Romania. Total trade has steadily grown since MFN was first granted and is now passing the 1 billion dollar level and still growing. During this MFN period, America has enjoyed the advantage of a consistently large surplus in the balance of payments as well as many other benefits. Exports keep 1 out of every 5 Americans in jobs. In addition, imports from Romania are diversified with no one catagory having any adverse impact on our industry. American exports on the other hand are primarily in agricultural and manufactured goods which are industries having persistent surpluses and unemployment.

Because our time is running short, we summarize our position as being in favor of extension of MFN tariff status to Romania on the basis of past performance by Romania and that to do so is clearly in America's best interests.

DETAIL STATEMENT:

The following discussion is presented to support our recommendations as made to the Subcommittee in the preceeding Summary Statement.

The American-Romanian Cultural Foundation is convinced that further extension of MFN tariff status to Romania as provided by the Trade Act is completly justified, vital to all concerned and has far-reaching impact on all areas of our foreign policy. Therefore it is of prime importance to America's best interests that this close relationship not only be continued but also expanded.

MFN since granted to Romania has been the key element that enabled America and Romania to first establish and maintain an open dialogue in trade matters that soon led to development of similar high levels of mutual trust, respect and cooperation. This high degree of mutual trust, respect and cooperation was then expanded to include discussions and activities in very sensitive areas such as political, social, security and human rights. This close relationship between America and Romania has continued to expand and not only has it directly and indirectly benefitted America and Romania but has also benefitted all of mankind. Therefore, it is clearly in America's best interests that this relationship between America and Romania be continued and that further extension of MFN tariff status be granted to Romania

One of the most important and significant elements supporting MFN extension is the close similarity of America's and Romania's foreign policy. When considering this point it must be recognized that this similarity exists even though Romania is an Eastern European nation that is a member of the Warsaw Pact, has a political, social, cultural and economic structure that is completly different from America's and that this Romanian foreign policy is formulated and carried out dispite enormous pressures and objections from Moscow. Everyone recognizes Moscow's design and pressure that the Warsaw Pact nations follow only that foreign policy developed and provided by Moscow and that Moscow strongly disapproves any actions by a nation to develop its own.

Some of the major similarities in foreign policy include critical items such as encouraging every nation's people to establish and preserve their own independence as a soverign nation; encourage a country's people to resolve in a non-violent manner their own internal problems without fear of intervention by outside forces; encouraging each country's citizens to elect their own form of government; helping others to improve their standards of living, etc. Our government representatives in past hearings mentioned that both Romania and America worked closely on many such problems in various countrys and that they were convinced by Romania's performance and cooperation that Romania is seriously and sincerely committed to this similar type of foreign policy. We must properly value all benefits available from this relationship as we have no similar relationship with another Warsaw Pact nation.

Many will correctly mention that there are foreign policy areas in which America and Romania differ in their approach. We naturally agree but must at the same time also point out that we presently agree on many of the most vital and important policies and that having an open dialogue on all subjects, discussions in the future may result in our successfully convincing Romania that changes in some of these other areas would be beneficial to Romania in its relations with America and other nations. What must be clearly recognized and accepted is the fact that much has been accomplished as a result of and since MFN was first granted years ago and much more may still be realized in future years by preserving and expanding our present relationship established via MFN and other related commercial agreements.

In the foreign policy area we recognize Romania's efforts in many areas such as its efforts and major contributions in establishing and implementing the Camp David agreement, continuing its efforts to help resolve in a non-violent manner other problems in the Middle East as well as other areas of the world; disarmament and limitation on weapons and military capabilities/levels. Also recognized is Romania's efforts and participation at the UN and worldwide for disarmament, helping nations feed its hungry populations, aid to refugees, etc. These efforts that materially contribute to world peace obviously benefit all Americans as well as the remainder of mankind. We must also give credit to Romania for its condemnation of Russia's invasion of Afghanistan, its firm policy to not provide weapons, munitions and military advisors to El Salvador or any other nation in crisis and its efforts aiding underdeveloped nations in resolution of their problems.

In summary on this major point, there are many obvious important benefits to America, Romania and all mankind because of the many similarities in foreign policies. We also as proven by past performance by Romania can rely on Romania's sincere continuing effort along these same policies and Romania's cooperation in joint efforts with America and other free nations having similar foreign policies. Securing such cooperation, support and similarity in foreign policies is the major objective of America's foreign policy and is realizing success in America's relations with Romania.

2. Since MFN was first granted to Romania under the Trade Act amended by the Jackson-Vanik Amendment, considerable concentration has been given to the subject of Romanian emigration. This attention has been given by the State Department as well as by many other government and non-governmental bodies concerned with this subject. This is a very difficult subject to properly moniter in detail and we therefore recognize our State Department as being the best qualified to moniter and report progress. We also feel that the State Department's efforts have not been properly appreciated and recognized by all concerned with this problem.

We agree with and feel that our State Department is correct in stating that overall emigration from Romania has increased significantly since MFN was granted several years ago. This official government position is supported by statistics utilized by both governmental and private groups concerned with progress and performance in this most sensitive area.

We also recognize the State Department's position that MFN has had a very significant impact on this sensitive area and is primarily the result of our State Department being able to openly and candidly discuss and suggest changes to Romania's emigration policies and practices. Some changes have been incorporated as a result of this relationship with America and continuation of MFN and related commercial agreements will permit this constructive action by both parties to continue toward realization of additional changes in the near future.

We do believe that many concerned with this problem do not properly recognize the conditions under which our State Department operates on this and other sensitive subjects. As stated by the State Department, Romania does not encourage emigration but does permit emigration to take place; America's and Romania's social, cultural and political systems are completly different; Romania's rapid industrial growth created a severe shortage of people as it significantly outpaced the growth in population; we do not dominate Romania and therefore cannot impose our values; and in cases such as emigration from Romania to Israel, the United States is really a third party that tries to moniter and encourages both Israel and Romania to deal effectively with the subject of emigration of Romanians to Israel.

To summarize on this sensitive issue, MFN has worked and such is evidenced by the significant overall increase in emigration from Romania, American suggested changes being incorporated by the Romanian government and continuation of constructive discussions still being carried out by both parties. If anything has been proven by performance it is that MFN not only works but it is vital that further extension be granted to Romania.

We should also recognize that Romania's sincere cooperation proved to the world that America's Trade Act with the Jackson-Vanik Amendment can work to the benefit of all concerned.

3.The second major area and overall objective of MFN is the status of trade between America and Romania. This has been an area enjoying overwhelming success as a result of MFN being granted to Romania. Since MFN was granted, trade has grown significantly each year with the one billion dollar trade level being surpassed in 1981. All projections are that this trend will continue and may possibly increase at a much faster pace as a result of increased sales of agricultural products.

It is important to note that America has consistently enjoyed a very large favorable surplus in its balance of payments with Romania and that this favorable surplus position will be realized for many years into the future.

Another factor to be considered is that trade with Romania has not had an unfavorable impact on American jobs but in reality had a very favorable impact by creating jobs for Americans. It is usually recognized that 1 out of 5 American jobs are created by American exports to other countries and that Romania's purchases of American items represented in 1981 a export value of approximately $722 million of the total $1,034 in trade.

We must also recognize that the imports from Romania included a very wide assortment of goods with the result being that no one category had any significant impact upon America's markets and workforce. In the case of exports from America, the two major catagories were agricultural and industrial goods which are from American industries having persistent surplus goods as well as unemployment. American exports to Romania created jobs and helped to absorb these surpluses.

We should also respect our Commerce Department's consistent position that further extension of MFN to Romania is justified by its performance to all commercial agreements with America. This satisfactory performance indicates and demonstrates Romania's sincere commitment to perform as it has committed itself to America.

To summarize on this particular point, MFN has very successfully performed and succeeded in realizing a very favorable position for America. The trade level in excess of 1 billion dollars is significant and having a very favorable balance of payments position for America, is definitely needed by America to help create jobs for its workforce, earn a significant favorable balance of payments position and aid in successful performance of our foreign policy program in Romania, Eastern Europe and other areas of the world. We consider trade and its many varied benefits to America as in itself completly justifying further extension of MFN tariff status to Romania.

4. We must also recognize the fact that America is Romania's second largest trading partner and that withdrawal of MFN tariff status for even a short period will have devastating effects on Romania's economy and America's position in international circles. America cannot permit this to happen.

America has a major influence on Romania's fragile economy that has been built over the years with concentration on economic relations between Romania and America and other Western European nations. This structure of Romania's economy was developed by Romania in response to urgings to do so that were advanced by America and other Western European nations and was accomplished at the expense of its trading partners in the Warsaw Pact. Too abruptly sever our trading relationship with Romania via withdrawal or deferral of MFN extension could create serious economic problems that may force Romania to seek economic help from Moscow. Such help will most likely be given but the obvious price demanded by Moscow would most likely be surrender of Romania's position as a soverign state, acceptance of Moscow's dictated domestic and foreign policy and acceptance of Russian troops on Romanian soil to enforce these changes.

In addition to loss of a close supporting friend in Romania, we would also suffer considerable damage to our integrity, prestige and influence over other nations--especially the smaller undeveloped nations. We must recognize that to a large degree we are responsible for Romania's dependence upon America and with this is a very serious responsibility to not desert Romania. America offers the assurances that it will support and not desert any nation that cooperates and indicates a sincere desire to remain on good friendly terms with America. This is part of our foreign policy to which we are committed and must abide with.

Our State and Commerce Departments have not to our knowledge ever provided any evidence and recommendation that we recognize Romania as being an undesirable associate because of Romania's actions to breech our agreements, etc. Therefore we consider Romania as having earned extension of MFN tariff status, it should be granted and America can continue to enjoy the confidence and respect from other smaller nations that America will not desert its friends.

5. Our detailed discussion does not include many additional justifications for extension of MFN to Romania as these are all favorable, known to those who moniter this subject and while important, may be considered of lesser importanct than those discussed in this statement. They are also fully discussed by the State and Commerce Departments in their submittals and testimony to this Subcommittee.

SUMMARY:

In conclusion, we strongly recommend continuation of MFN tariff status for Romania. The overall basis for our recommendation is that such extension is clearly in the best interests of America to do so and that such will generate benefits for not only America but also significant benefits for Romania and all mankind. To not do so after Romania has satisfactorily performed and expressed a sincer desire to continue its relationship with America would result in severe damage to America's position worldwide and especially to our foreign policy programs directed at small nations worldwide.

[Whereupon, at 11:10 a.m., the hearing adjourned, subject to the call of the Chair.]

[By direction of the chairman the following communications were made a part of the hearing record:]

CARL LEVIN
MICHIGAN

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United States Senate
WASHINGTON, D.C. 20510

COMMITTEES:
ARMED SERVICES
GOVERNMENTAL AFFAIRS
SMALL BUSINESS

July 21, 1981

Nicolae Ionescu, Ambassador Extraordinary
and Plenipotentiary
Romanian Embassy
1607 23rd Street
Washington, D.C. 20008

Dear Mr. Ambassador:

It is with some concern that I again write to you about Jewish emigration from Romania. Although there has been a continuous flow of emigrants over the years, there are several aspects of the process which should be looked at.

Emigration figures in the early 1970's were substantial, but there has been an alarming decrease in these numbers in recent years. Also, the procedures that prospective emigrants must go through to apply for exit permits are difficult and the delays between initial application and final issuance of passports appear to be excessive.

Next week, most favored nation status will be taken up in the Subcommittee on International Trade of the Senate Finance Committee. The emigration policy of Romania will be discussed both in committee and when the matter of most favored nation comes to the floor of the Senate.

I hope that you will convey to your government the concerns that I am expressing personally and those that will come up in the committee hearings.

Thank you for your attention in this matter.

Sincerely,

Carl Levin

Carl Levin

rb

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United States Senate
COMMITTEE ON FOREIGN RELATIONS
WASHINGTON, D.C. 20510

July 23, 1981

Hon. John C. Danforth
United States Senate
Washington, D.C. 20510

Dear Jack,

It is my understanding that this Monday, July 27, the International Trade Subcommittee of the Senate Finance Committee will be holding hearings regarding renewal of Most-Favored-Nation trading status for Rumania. As you know, Title IV, Section 402 of the Trade Act of 1974 provides that MFN status shall be denied to any state which restricts free emigration by its citizens. In light of this provision, I would ask that during your subcommittee's deliberations it take into consideration the record of Jewish emigration from Rumania in recent years.

According to the Israeli government, Jewish emigration from Rumania steadily increased in the early 1970's, when the Rumanians were urging the United States to grant them MFN status for the first time. In 1971, Jewish emigration totaled approximately 1,900; in 1972 the figure was 3,000; in 1973 it was 4,000. However, once Rumania received MFN in 1975, Jewish emigration began to decline. The 1975 figure was 2,000. By 1978 it had dipped to 1,140. In 1980 it was 1,061. These figures suggest that once Rumania acquired MFN status is no longer felt compelled to increase the level of Jewish emigration.

Further, the emigration process in Rumania is very intimidating. Those who wish to leave must make application at local police stations, and I am told that the police often make quite arbitrary decisions about the applications.

I raised the issue of Jewish emigration during a meeting I had recently with the Rumanian foreign minister. It is a matter of deep concern to me, and I thought I would share that concern with you as you prepare for the hearing on MFN for Rumania.

Sincerely,

Rudy Boschwitz
United States Senator

RB/smj

SUBMITTED STATEMENT OF THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, ON THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS, BEFORE THE FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE

July 28, 1981

The AFL-CIO urges the Congress not to extend most-favored-nation treatment to imports from Hungary, Romania and the Peoples Republic of China under the Trade Act of 1974's waiver authority.

The issue before the Committee is whether or not the granting of normal trade status to these countries encourages the free emigration of their citizens.

But that is not the only issue involved.

Human rights have not improved as a result of granting normal trading rights to Romania or Hungary, and the knowledge of improvements in the Peoples Republic of China has been minimal.

The attached statement of a recent Romanian exile, Nicalae Dascalu, a member of the Romanian trade union SLOMR since 1979, belies the claim that most-favored-nation treatment has helped encourage free emigration or improved human rights in Romania. Mr. Dascalu emigrated to the United States in April of this year. But it was not free emigration. The Romanian government first arrested him and then exiled him for participation in union activity. He states that "Since 1977 the human rights situation in Romania has deteriorated considerably."

This result is directly contrary to the purposes President Reagan cited in recommending to the Congress on June 3, that Romania once again be granted most-favored-nation treatment. The President's message to Congress said, "The waiver authority has permitted (the United States) to conclude and maintain in force bilateral trade agreements with Romania. ...These agreements are fundamental elements in our political and economic relations with these countries, including our important productive exchanges in human rights and emigration matters."

Clearly, the granting of most-favored-nation treatment has not resulted in improved human rights in Romania. The same is true of Hungary.

Thus the waiver of the law's requirements has failed to improve conditions in either Romania or Hungary.

Special trade privileges not only do not produce human rights, they do not improve trading arrangements. We would like to call the Committee's attention to our longstanding objection to providing sophisticated U.S. technology and turnkey production facilities to communist countries. These countries continue to use oppressed labor for production of goods for the U.S. market. Over the years, we have listed a number of U.S. products and industries injured by imports from these countries. Yet imports of textiles, garments, shoes, electronic equipment, glass, and steel products from these countries persist in spite of the past injuries to these industries and their employment opportunities.

Most-favored-nation provides for extra injury to U.S. producers. Because Romania has most-favored-nation status, imports from Romania are included under the Generalized System of Preferences, according to Section 502 (b)(1)(A) of the Trade Act of 1974. This provision, designed to help developing countries, provides zero tariffs for imports of about 2700 products or parts of products from developing countries. As a result, imports of railroad freight cars, now in oversupply in the U.S., are receiving this special zero tariff privilege when imported from Romania. While U.S. industry suffers doubly from imports and from overcapacity, imports from Romania get special tariff privileges. Even imports of auto parts from Romania receive this special import provilege because most-favored-nation status is granted.

The same combination of special privileges and injury to U.S. industries are threatened with the extension of most-favored-nation status for the Peoples Republic of China. The imports of textiles and apparel and other import-sensitive products have continued with or without most-favored-nation status. The difference is that an extra benefit is granted with most-favored-nation status. From the Peoples Republic of China, the U.S. is now importing compressors. Recently there has been an inrush of imports of fasteners -- another industry already injured by imports from other nations.

These economic factors are hurting the U.S. economy. The trade will continue whether or not MFN is granted. Trade with Romania has expanded. But the U.S. imports more manufactured products from Romania than the U.S. ships to Romania. The United States trade is in deficit with Hungary, and trade with the Peoples Republic of China moves in an erratic fashion. In each country, MFN is not necessary for trade. But, in each case, MFN trade has hurt U.S. industries.

Nor does normalized treatment assure U.S. exporters of future sales. Whenever any of these countries' governments decides to curtail imports, U.S. exporters will lose. The U.S., Japan and European countries learned that planning decisions change and contracts can be canceled with the Peoples Republic of China when the plans of that nation changed during the past year.

In short, there is no human rights, economic or political justification for extending most-favored-nation waivers to these countries.

Once again, we urge this Committee not to continue the waivers granting most-favored-nation treatment to Romania, Hungary and the Peoples Republic of China.

NICOLAE DASCALU
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Since 1977 the human rights situation in Romania has deteriorated considerably. As voices demanding respect for man's dignity increased followed by numerous actions of protest,the regime realized that it was losing control and,after a short period of confusion, insecurity and hesitation,embarked on a gradual course of suppressing any kind of opposition,dissatisfaction,suggestion of reform,or even more theoretical,abstract deviationism. Long prison terms were imposed on people for their thinking,not for their actions. An outstanding example is the case of Father Gheorghe Calciu Dumitreasa who was condemned to 10 years imprisonment for having taught the Gospel and having preached love and harmony among people as opposed to hatred and division taught by the Marxists. Trials are conducted behind closed doors,in secret,without proper defence,often by military tribunals, Judges are only the last link in the chain of decisions,vertically held,whose only role is to read the sentence to the condemned person.Political prisoners are subjected to psychiatric maltreatment in secret hospitals or solitary confinement and permenent psychological warfare ,often accompanied by sheer brutality, in penitentiaries. The plight of common prisoners is hard but normal; they are in prison to have fear inculcated in them. Political prisoners are there for extermination. If they do not manage to desintegrate your personality,to break your will and make you submissive,they exile you. There are persistent rumors in Romania that they even assassinate you in all kinds of accidents,as the rumor goes about Dobre and Jurca,two of the leaders of the Jiu Valley strikes in August 1977,or about Vasile Paraschiv,an activist in The

(SLOMR)
Free Trade Union of Romania's Workingmen. In the aftermath of the Jiu Valley strikes,when the miners forced the government to satisfy all their demands,the regime started its slow but unfaltering process of repression: over 4,000 miners were transferred to other working-places,in most cases not according to their skills and much more poorly paid; hundreds of the more active and outspoken miners were given prison sentences on trumped-up charges or for trifles; thousands of disguised agents were introduced into the mines to inform the secret service,and to create confusion. That is probably the explanation why the Jiu Valley miners did not strike in support of their leaders when these were taken away from them into isolation and,according to rumors,death. The Jiu Valley area was surrounded by army divisions for months after the strikes.

In the spring of 1979,the most significant labor movement in recent Romanian history was suppressed with unusual harshness. The communist regime claiming to represent the workingmen was extremely furious when the union's (SLOMR's) program called for the abolishing of privileges, for social security and unemployment benefits,for a fair system of pensions,etc. The founding members were arrested within five days of announcing their program. Dr.Ionel Cana was condemned 7½ years imprisonment,Gheorghe Brasoveanu 5½ years; nothing is known about the other founding members. Virgil Chender,one of the founding members of The Unofficial Trade Union of Workers,Peasants and Soldiers of the Mures District,which was affiliated to The Free Trade Union of Romania'a Workingmen,was interned in a psychiatric hospital and not heard from since.

Hundreds of persons were condemned for their invoiment in the SLOMR.

About 50,000 people were arrested and condemned to terms of up to 6 months' imprisonment between March and June 1979. All prisons were filled to capacity,prisoners slept two in a bed,and thousands of them were incarcerated in tents in the prisons' courtyards. The regime was making desperate efforts to suppress the union.
At the beginning of March 1979,I announced the formation of an Amnesty International group in Bucharest.Most of the members of the group joined the union. When the founding members were arrested,we took over the task of organizing the union and at the beginning of April we were also arrested. Some of us received prison sentences and others were harrassed and exiled. On completion of our prison terms,my friend and I were also exiled. The only person left in Romania who belonged to our group is my brother,Ilie Dascalu; he works in a factory in Bucharest. He is permanently subjected to harrassment,intimidation and threats. The police told him that he would have to leave the country,but when the time was convenient for them,and in the meantime he should never mention SLOMR.
Under the circumstances,the Polish crisis and the successes reaped by workers there came as the worst conceivable development at the worst possible time for the communist regime in Bucharest. Hundreds of local strikes broke out.I left in March this year when the turmoil was at its highest. There was no indication that organizers of local conflict were jailed or isolated,though it seemed a miracle that none of the strikes ended up in demanding recognition of free unions. It has been said that MFN has been given to Romania in recognition of , and as an encouragement for, its independent line

foreign policy.Romania's independence is just empty words as long as the regime remains foreign-imposed,foreign-modelled and foreign-supported. Who will guarantee its independence: the Romanian people who have been despised,mistreated,annihilated economically and politically,transformed into an amorphous mob,manipulated into the most passive acceptance in their history by a small Moscow-designated communist oligarchy? Therefore,when he makes statements about Romania's independence,President Ceausescu should be considered a private citizen or a representative of his family.

If they want favors from the free world,such as recognition,security, cooperation,they must gain legitimacy in their own country.And they will have legitimacy only when they are brought into office by free democratic elections.

Sound political judgement made three US presidents issue a waiver for Romania,and the US Congress has agreed to MFN extension so far because they thought that would promote the humanitarian objective of the Jackson-Vanick amendment - and I insist that the MFN clause has helped a lot in this direction - and an improvement of their economic relations would improve the well-being of the people.

But the Congress has a moral obligation as the guardian of the great principles on which the American State was founded to demand of the Romanian government that it should respect its citizens and especially never to cease making it clear that the MFN benefits are meant to be extended to the people of Romania for promoting their well-being, not to be used by the regime for their oppression.

amnesty
international news release
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DISTR: NS

Embargoed for: 22.00 gmt Monday
27 November 1978

AMNESTY INTERNATIONAL PUBLISHES MAJOR REPORT ON POLITICAL IMPRISONMENT IN THE PEOPLE'S REPUBLIC OF CHINA

Amnesty International today (Monday, 27 November 1978) published a major report on political imprisonment in the People's Republic of China. The 176-page report outlines in detail the country's constitutional, legal and penal systems under which suspected political dissenters are detained, interrogated, tried and punished without access to fair trials and without safeguards against maltreatment during detention.

AI said it had submitted the draft of its report to the Chinese government in June 1978 and had offered to publish any comments or corrections from the government. "We have heard nothing from the Chinese authorities, despite repeated efforts on our part", said AI. "However, within the last month it has been reported in the international press that Chiang Hua, President of China's Supreme Court, has said there are still many people wrongfully imprisoned in the country, and that 'all sorts of excuses' were being used to avoid reviewing miscarriages of justice. In a series of judicial conferences, he has reminded officials that the extraction of forced confessions is prohibited and that the courts and police should deal seriously with this problem."

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Amnesty International is a worldwide human rights movement which works impartially for the release of prisoners of conscience: men and women detained anywhere for their beliefs, colour, ethnic origin, sex, religion or language, provided they have neither used nor advocated violence. Amnesty International opposes torture and the death penalty in all cases without reservation and advocates fair and prompt trials for all political prisoners. Amnesty International is independent of all governments, political factions, ideologies, economic interests and religious creeds. It is financed by its membership and by subscriptions from all parts of the world. Amnesty International has consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States, and has observer status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees).

In a letter to Premier Hua Guofeng dated 2 November, AI presented recommendations based on its report urging the Chinese government to

- repeal all laws prescribing administrative or criminal punishment for the non-violent expression of beliefs;
- establish formal safeguards to prevent the torture or cruel, inhuman or degrading treatment of prisoners;
- abolish the death penalty;
- ensure that all persons currently detained on political grounds are quickly brought to open trial before impartial tribunals where full rights of defence are guaranteed;
- apply internationally-recognized standards in accordance with the Universal Declaration of Human Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners and other human rights instruments.

The AI report is the result of several years of intensive research. It draws on the case histories of prisoners of conscience in China currently under adoption or investigation by AI, some of whom are serving sentences ranging from 15 or 20 years to life imprisonment. Among them are Lin Xiling, a girl student arrested in 1957 at the age of 20; Chamba Lobsang, a Tibetan monk arrested in 1959; Deng Qingshen, a young peasant sentenced to 15 years' imprisonment in 1970, and others detained for their beliefs. The report is also based on testimonies of former prisoners who have been held in labour camps and prisons in different parts of the country.

The report criticizes the existence of legislation in China which provides for political imprisonment and says that laws are loosely-worded and have been interpreted broadly, permitting large scale imprisonment on political grounds (see report pages 1-7). . Under the Chinese constitution, certain categories of people, defined as "class enemies" can be deprived of their political and civil rights solely on the basis of their "class origin" or political background (see report pages 7-13).

/3...

"The continuous 'mass mobilization campaigns' since the early 1950s have been used to identify people dissenting from official policy", said AI. "These campaigns have broadened the range of political offences to the extent that each of them has defined new types of offenders according to the politics of the period." (see report pages 13-31).

AI said it was concerned that under Chinese law, pre-trial detention is unlimited once an arrest warrant has been issued by the Public Security (police). The trial does not normally begin until the detainee has "confessed" in writing. Political defendants are usually tried in camera, or by "mass public trials" where no defence is possible. According to the report, "Trials are a mere formality: rather than 'trials', they are, in fact, meetings to announce the sentence." (see report pages 37-57).

Certain political offenders, said AI, could be punished by compulsory labour without even judicial investigation (see report pages 57-61). Formal punishments range from a term of imprisonment to execution. "The government of the People's Republic of China is, today, one of those governments which, in the last year, has executed persons convicted of political offences", AI said. The report cites the case of He Chunshu who was sentenced to death in February 1978 for writing and distributing a "counter-revolutionary" leaflet. According to the court notice, he had "obstinately refused to admit his crime", and was executed immediately after sentencing (see report pages 61-69).

AI emphasized that it was not possible to present a comprehensive portrait of detention conditions prevailing in China at any one time due to a lack of detailed information resulting, in part, from restrictions on the flow of information within the country (Corrective labour and penal policy: prison conditions, see report Chapters 3 and 4). "Although", said AI, "to our knowledge there have been constant complaints by prisoners about punishments, insufficient food and inadequate medical care".

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AMNESTY INTERNATIONAL NEWS RELEASE - 4

AI stated that its primary concern was the release of all prisoners of conscience. It welcomed the announcement that efforts are being made in the People's Republic of China to redress miscarriages of justice committed in the past. However, AI said, the legislation providing for political imprisonment is still in force and arrests on political grounds are continuing. "We would welcome any steps by the government to review the laws and procedures affecting the detention and treatment of political offenders. All provisions prescribing punishment for non-violent expression of beliefs should be repealed", AI said.

FU Yuehua–*People's Republic of China*

A 34-year-old woman municipal worker, who became a human rights activist after trying for years to call attention to her own grievances, is serving a two-year sentence for "violating public order" in China.

FU Yuehua lost her job in 1972 after accusing a local Communist Party branch secretary of raping her. While petitioning for her case to be re-examined, she met other petitioners, mainly peasants who came to Peking to present personal grievances. She wrote wall posters supporting demands for human rights and democratic reforms which began to be aired in Peking in late 1978. She took part in a demonstration by peasants in the capital on 14 January 1979, and was arrested by plainclothes police on 18 January.

An unofficial report said she was badly beaten by police after her arrest and went on a hunger-strike in protest. This was before her official date of arrest, given as 3 April 1979. In China, this date normally marks the time at which formal charges are made. Fu Yuehua was tried on 17 October 1979, charged with "organizing disturbances which violated public order" and "libel". The latter charge, which referred to her accusation of rape, was dropped, apparently as a result of evidence which she brought forward at the trial. It was officially reported on 24 December that she had been sentenced to two years' imprisonment on the charge of violating public order.

Please send courteously worded appeals for the immediate release of Fu Yuehua to: His Excellency Hua Guofeng, Prime Minister, Peking, People's Republic of China.

amnesty international news release
International Secretariat, 10 Southampton Street, London WC2E 7HF, England
Telephone: 01-836 7788 Telegrams: Amnesty London Telex: 28502

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CD

Embargoed for: 1700 hrs GMT Monday
30 June 1980

AMNESTY INTERNATIONAL SAYS DISSENTERS FACE WIDE RANGE OF PENALTIES IN ROMANIA

Amnesty International said today (Monday 30 June 1980) that Romanian authorities deploy a wide range of legal and extra-legal penalties against those who breach official limits on political, religious and social expression.

In a 20-page briefing on human rights issues of concern to Amnesty International in Romania, it cited the use of imprisonment, "corrective labour", confinement to psychiatric hospitals, and the inadequacy of legal safeguards. The organization also called attention to cases of harassment, intimidation and dismissal or transfer from jobs.

The country's constitution and laws restrict the freedoms of speech, press and assembly, providing penalties for such offences as "anti-state propaganda". The number of people imprisoned on such overtly political charges appears to have fallen in recent years, but some dissenters have faced criminal charges — which Amnesty International believes to be false — such as "parasitism" and "homosexual relations", according to the briefing paper.

Among those who have been punished are members of an unofficial trade union, unauthorized religious activists, would-be emigrants and critics of government practices affecting human rights.

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Amnesty International is a worldwide movement which works impartially for the release of prisoners of conscience: men and women detained anywhere for their beliefs, colour, ethnic origin, sex, religion or language, provided they have neither used nor advocated violence. Amnesty International opposes torture and the death penalty in all cases without reservation and advocates fair and prompt trials for all political prisoners. Amnesty International is independent of any government, political grouping, ideology, economic interest or religious creed. It is financed by its membership and by subscriptions from all parts of the world. Amnesty International has consultative status with the United Nations (ECOSOC), UNESCO and the

One of the cases cited is that of Janos Török, a textile worker and Communist Party member who criticized the system by which National Assembly members are elected during a meeting in March 1975 at his place of work in Cluj. He was arrested by the Securitate (political police) and was reported to have been severely beaten during prolonged interrogation. He was confined to a psychiatric hospital and forcibly injected with large doses of sedatives. Released from hospital in March 1978, Török has been under house arrest since then, permitted to leave his home once a month to report to a psychiatric clinic.

He is only one of a number of dissenters who have been subjected to compulsory psychiatric confinement, although Romanian law prescribes this only for those who are dangerous to themselves or others, or who are judged to be about to commit serious crimes.

Members of an unofficial "Free Trade Union of Romanian Workers", founded in February 1979, have been penalized in various ways: Dr Ionel Cana was sentenced in June 1979 to five and a half years' imprisonment on charges that have not been made public. Others have been given shorter terms for offences such as disseminating information abroad without official permission and "parasitism". Economist Gheorghe Brasoveanu was reported to have been confined to a psychiatric hospital in March 1979 -- the fifth time in eight years that he has been confined after criticizing official policies.

In August 1977, miners in the Jiu Valley went on strike in a dispute over pensions, benefits and safety standards. Those who played prominent parts in the strike were arrested and sent without trial to work in other districts under police surveillance. Several sources have said that two strike leaders died shortly after the strike in circumstances never satisfactorily investigated by police, although Romanian authorities have denied these reports.

.../3

Gheorghe Rusu, an economist, applied in 1977 to emigrate to France in order to join his wife and child there. Arrested on charges of homosexual acts, he was acquitted by a local Bucharest court for lack of evidence, but was later sentenced to three years in prison after the procurator appealed against the first verdict.

People who went on hunger-strikes or demonstrated in support of demands to be allowed to emigrate have been imprisoned or confined to psychiatric hospitals; other dissenters, however, have been harassed until they accepted passports and left the country.

Religious dissenters who have been punished include an Orthodox priest, Father Calciu, sentenced to 10 years' imprisonment on charges that have not been made public, and Protestant activists sentenced on charges of causing public disturbance and "parasitism".

An Amnesty International delegation visited Romania in February 1979, after the organization launched a campaign the previous autumn against human rights violations in that country. Amnesty International has requested the opportunity to send a second mission, to investigate human rights problems and the abuse of psychiatry in particular.

Embargoed for: 1700 hrs GMT Monday
30 June 1980

Cummins Engine Company, Inc.

Box 3005
Columbus, Indiana 47201 Telephone. 812 372 7211

July 20, 1981

Mr. Robert Lighthizer
Chief Counsel
Committee on Finance
Room 2227 Dirksen Building
Washington, D.C. 20510

Dear Mr. Lighthizer:

Cummins Engine Company, Inc. of Columbus, Indiana, during the past two years, is doing business with Hungarian enterprises: Ikarus Bus and Coach Works, the second largest bus manufacturer in the world, is using our diesel engines for their buses exported from Hungary for sale in the United States.

Raba Railcar and Machine Factory, is using our engines in a large agricultural tractor, produced under license in Hungary and used there on state farms and cooperatives.

Other business contacts we have are with Mogurt, the Foreign Trade Company of the Hungarian Automotive Industry, Csepel Autofactory and Autokut, the Research Institute for the Automotive Industry.

Our past experience with the above mentioned Hungarian enterprises has been excellent, very business-like and mutually advantageous. We are looking forward to expanding this business relationship in the future.

Cummins Engine Company, Inc., based upon our experience, is happy to submit this testimonial to support the renewal of Hungary's Most Favored Nation status in the Congress of the United States.

Sincerely,

Ulric Haynes, Jr.

U.Haynes,Jr./bjk

Vice President - International
Business Planning

STATEMENT OF MR. JACK J. SPITZER
ON BEHALF OF
THE CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS
TO
THE INTERNATIONAL TRADE SUBCOMMITTEE
OF
THE SENATE FINANCE COMMITTEE
JULY 1981

Mr. Chairman:

I am grateful for this opportunity to state the position of the Conference of Presidents of Major American Jewish Organizations, an umbrella organization consisting of 34 constituent bodies, regarding a continuation of Most-Favored-Nation status for Romania.

The Conference of Presidents, whose current chairman is Howard Squadron, concerns itself with the welfare of Jews throughout the world. In keeping with this responsibility, it has sustained interest in the condition of the Jewish community in Romania and the right of Romanian Jews to emigrate to their ancestral Jewish homeland of Israel.

The Conference of Presidents' involvement in the question of Romanian Jewish emigration heightened following the signing in 1975 of the U.S. - Romanian Trade Agreement calling for each nation to grant the other Most-Favored-Nation treatment with regard to customs, duties and charges. In waiving the application of subsections (a) and (b) of Section 402 of the Trade Act of 1974 for Romania, President Ford notified the Congress that he had received assurances that the emigration practices of Romania will henceforth lead substantially to the achievement of the objectives of Section 402. In this regard, President Ford cited the Declaration of the Presidents of the United States and Romania, signed in 1973, wherein it was stated, "they will contribute to the solution of humanitarian problems on the basis of mutual confidence and good will." It is these humanitarian problems that concern us today.

We have noted in previous years' testimony that, as a result of Romania's liberal emigration policies following the Second World War, approximately 400,000 Romanian Jews were able to settle in Israel. Because of the existence of this large Romanian Jewish community in Israel, we believe that the Romanian government has a special humanitarian obligation to facilitate requests by Jews still in Romania to reunite with their families in Israel.

However, Romanian emigration policies have tended to discourage Jews and others from exercising this fundamental human right. There are hundreds of known cases of Jews wishing to emigrate who are still unable to do so. Moreover, Romanian emigration procedures require an individual wishing to emigrate to apply with the local police in order to obtain an emigration form. This requirement, and the further obstacles that follow it, make it likely that hundreds of Romanian Jews, who might otherwise wish to do so, are not attempting to emigrate.

The overall emigration figures provided by the Romanian government are discouraging. In 1975, those receiving permission to emigrate totalled 2,008; in 1980, the corresponding figure was only 1,141. Moreover, in the first six months of 1981, only 556 individuals have received permission to leave the country to travel to Israel.

We have tried to impress upon the Romanians that the numbers approved for exit are much lower than the demand for emigration would suggest, and that it is necessary for them to simplify and expedite their bureaucratic procedures so that unwarrented delays and, in too many cases, outright discouragement, do not persist. We have been assured by the Romanian government that it will make an effort to do this and we shall be closely following the situation in coming months to determine if this improvement takes place.

In April 1981, I went to Romania as a representative of the Presidents Conference with a list of 520 names constituting a backlog of unresolved emigration cases. These names were contained in lists provided to the Conference of Presidents under the mechanism developed as part of the 1979 agreement. Only 170 persons of the 520 on this list have been granted permission to leave Romania as of this date. This leaves a backlog of 350 persons, 112 of whom have been waiting for approval for more than a year. In addition, there are 177 new applications since January 1, 1981 that had not been acted upon favorably as of June 2 of this year. Thus, the total backlog stands now at 527.

The Conference has expressed the view in its discussions with Romanian officials that it is unreasonable for a would-be emigrant to wait more than five months between initial application and the issuance of a passport enabling the individual and his family to leave Romania. Delays of many months, and in some cases years, work an undue hardship on applicants and their families, and deter other Jews from applying in the first place. This, too, remains a serious problem.

The Conference of Presidents recognizes that while all of the problems described above persist, the Romanian government would like to create a better climate for Jews who choose to leave. We believe it is important to note also that the Romanian government has permitted a generous degree of religious, cultural and communal freedoms for the Jewish community, and that Romania has attempted to steer an independent course in its foreign policy -- as reflected in the fact that it is the only Eastern bloc country maintaining diplomatic relations with Israel.

Taking into account all these factors, the Conference of Presidents favors a continuation for one year of Most-Favored-Nation status for Romania. We trust that the Romanian government will continue to work with the Conference of Presidents in the year ahead towards the obective of removing all remaining barriers to Jewish emigration.

Thank you for this opportunity to present our views.

美中贸易全国委员会
The National Council for United States-China Trade
1050 Seventeenth Street, N.W., Washington, D.C. 20036 Cables: USCHINTRAD Telex: 89-7416 Telephone (202) 828-8300

President

July 22, 1981

The Honorable John Danforth
Chairman, Subcommittee on International Trade
Senate Finance Committee
2227 Dirksen Senate Office Building
Washington, DC 20515

Dear Chairman Danforth:

I am pleased to present the views of the National Council for US-China Trade on the important matter of the further extension of the authority under the Trade Agreement of 1974 to continue the waiver, applicable under Section 402, to the People's Republic of China.

The National Council is a private, nonprofit organization founded in 1973 with the encouragement of both the US and Chinese Goverments to promote and facilitate two-way trade. We have approximately 500 member firms, both importers and exporters, with combined gross sales of over $950 billion and 7.5 million employees.

Since the passage of the Sino-US Trade Agreement in February 1980, trade between the United States and China has continued to grow from $4.8 billion in 1980 to a projected $6 billion in 1981. The US has had a considerable surplus in bilateral trade with the Chinese since trade resumed in 1971. In fact, even with the extension of lower, most favored nation tariff treatment to Chinese imports, our exports to China outrank our imports from China by 3.5 to 1. Last year alone, we enjoyed a trade surplus of $2.7 billion with China.

Clearly China represents a major market for American exports of grain, technology and equipment, but the US still has only a small share -- about 12% in 1980 -- of China's total trade. It is vital that US firms maintain a competitive footing in the China market at this time of readjustment of the PRC economy in order to ensure a favorable position in the years ahead.

It is clearly essential to continue to provide Most Favored Nation tariff treatment as well as US Government credits and investment guarantees to China. At a time when the Administration and the Congress are examining ways to eliminate impediments to US companies trading with China, it is appropriate to reexamine the annual review process stipulated by the Jackson-Vanik Amendment.

Requiring that the extension of MFN, government credits,insurance and guarantees be contingent upon an annual review of China's emigration practices is a disincentive to trade. American importers normally purchase Chinese goods from twelve to eighteen months in advance of the delivery of goods. The annual review causes uncertainty as to the continuation of MFN duties from year to year.

US companies negotiating a compensation trade agreement whereby technology and equipment are paid back with Chinese products over a period of years face an even more serious dilemma. The potential discontinuation of OPIC insurance as well as MFN tariff treatment adds unnecessary risk and ambiguity to any business agreement with the Chinese.

We would prefer that China be exempted from the provisions of the Jackson-Vanik Amendment altogether. At a minimum we seek a multi-year waiver of a two or three year duration to lend continuity and ensure a more stable atmosphere for long-term trade and investment with China.

At a time when the Administration's policy is to further our political relations with the People's Republic of China and to treat China separately from the Soviet bloc, it would be both reasonable and timely to remove this unnecessary impediment to the continued long-term development of our economic relations with China.

Sincerely,

Christopher H. Phillips

Christopher H. Phillips

CHP:lfm

CONSILIUL NATIONAL ROMAN
ROMANIAN NATIONAL COUNCIL
NORD AMERICA SECTION
SECTIUNEA AMERICA DE NORD
A NON-PROFIT ORGANIZATION -Reg.Book 088 Page 623/1978,N.J.
ID # 0100085308
THE EXECUTIVE BUREAU
President:Dr.Alexandru Bratu
25-40 30th Road (4D),L.I.C.
Astoria,NEW YORK,N.Y.11102
Tel.(212)726-3026

HEADQUARTERS
290 River Road,Bogota,
NEW JERSEY ,N.J.07603

July 27,1981

Mr.ROBERT LIGHTIZER,Chief Counsel,
Committee on Finance ,
Room 2227 Dirksen Senate Office Building,
Washington,D.C. 20510

STATEMENT

of Dr.Alexandru Bratu,Ph.D. in Law and Economics;
-President of the "Romanian National Council - America Section";
-Coordinator of International Affairs of "World Anti-communist Action Front (WACAF)";
-Playwright,member of ASCAP-"American Society of Composers,Authors, and Publishers";
-Former assistant professor at Law School of Iassy University -Romania,Lawyer and Economist.

HONORABLE CHAIRMAN AND DISTINGUISHED MEMBERS OF THE COMMITTEE :

On behalf of the Romanian National Council - America Section,my actual statement is connected with the "Most Favored Nation" treatment to the "Socialist Republic of Romania" (SRR),and I do not believe that the United States of America wants to build and get stronger the communist system in the world,including Romania .
The purposes of the Romanian National Council,founded in 1978,are to promote the ethnic values of Romanian Culture and to struggle for the Human Rights of the Romanian people,to get free Romania from the totalitarian communist system,and to defend the historical Romanian territories.The most part of the Romanian National Council-America Section are Romanian anti-communist former political prisoners,freedom fighters,opponents to the communist tyranny exerted by Romanian Communist Party.All these Romanian freedom fighters cannot forget that the Romanian provinces Bessarabia,Northern Bucovina and Hertza county were forcibly annexed by USSR in June 1940.
I would never do anything to harm the interests of the Romanian people,but I am concerned about the true interests of Romania no less than the true interests of the U.S.A. that I urge you to think about the implications before deciding to continue to offer preferential treatment to a country of virtual slaves -Romania of today.
In spite of the fact that at the Helsinki Conference on Security and Cooperation in Europe,the representatives of communist Romania let the impression that they followed a very free path of their own and they avoided polemics against West on human rights issues,they maintained inside of Romania a cruel tyranny.On February 17,1977,Nicolae

Ceasescu,President of Socialist Republic of Romania and First Secretary of the Romanian Communist Party,declared that :"In Romania there is no place for other kind of participation and other democracy,than the democracy of the workers class of the people who build the socialism and the communism."(See "Romania Libera " and "Scanteia" from February 18.1977).
This affirmation shows to the all world what kind of democracy governs in Romania of today.
Also in the book "Romania completing the construction of socialism", vol.III,pag.587,Publ.house Meridiane,is written by N.Ceausescu that: "Are there still in Romania forces capable of endagering our socialist system? Some such forces will exist always,but our society has the necessary means for them,e.g.,the strait jacket. As you know we develop medicine on a large scale ".
Without comments,so psychiatric asylum for political and religious dissenters and opponents is his way of dealing with human rights, and the Romanian anti-communist former political prisoners are the witnesses of the crimes against humanity and genocides committed by the communist "Securitate" the terrorist hand of the Romanian Communist Party. Many Romanian intelectuals were and are sent to the mental hospitals as opponents and dissidents,and there are also peasant and workers who only criticized the every-day aspect of life under communism in Romania,expressing their grievances,and they were and an sent to jail for "propaganda against socialist order ".
The practice of political discrimination in communist Romania has very bad consequences in youth education,art,literature,religion and even in private life.In the last three years there are so many Romanians who defected to the West,many of them being young men and even members of Communist Party.Many people would like to leave the country but they couldn't obtain the proper forms to apply for a passport.The political discrimination between the communist party's members and ordinary people is so obviously,that let to the last ones the general feeling of injustice.The elite of Communist Party is treated differently from the ordinary people .They have different hospitals and also special food stores where the masses are not allowed to enter. But even the members of the so called elite would like to leave Romania if they could.I know many cases of high ranks officials who defected at the first occasion being abroad.
The Romanian communist chief Nicolae Ceausescu continually affirms that he wants to continue its friendly relations with countries of

different political and economic systems,among which that with U.S.A. but in the same time the communist Government of Romania maintains the country as a member of Warsaw military Pact.To whom is useful this presence and why every Romanian who questions about the role of Romanian army in this Warsaw Military Pact,and about the disrespect of Human Rights must be considered "INSANE"?

As an economist,I appreciate the opportunity to express my views that so called "idustrialisation of Socialist Romania "is a beautiful slogan of Romanian communist Party,but "cui prodest" ?In any case this forced industrialization is not useful to the most part of Romanian people,peasants or not members of Communist Party,but who must pay this experience with moral and material sufferings of 20 millions of people.The bosses of Romanian Communist Party are a kind of new oligarchs,because they are the ones who hold the power and excercise it having enormous privileges.

In actual fact the Romanian people need the freedom from fear,because each man is suffering from constant fear of being sentenced to prison with every word,gesture suspect.Each One is always watching by"Securitate "(Secret Police),by "Militia",by party's members,Union actvists and other spies disguised as friendly neighbors,etc.

Based on these reasons,the Romanian National Council -America Section With other Romanian Organizations of Freedom Fighters in exile examined the present plight of the Romanian people therein and found that:

I.-The Communist Dictatorship deprived Romanian People of free elections and the present members of the Communist Romanian National Assembly do not represent the Romanian people;

II.-The Communist Government of Romania today consists of a small minority which is in power in complete opposition of the majority of Romanian people's wishes;

III.-The Communist Dictators of Romania were and remained obedient subservients to the Kremlin chiefs,as Soviet satellites;

IV.-The Romanian people are forbidden to exercise even the elementary human rights;

V.-The Communist Totalitarian System murderously undermine the futur generation with its Marxist-Leninist education ,atheism and political discrimination.

Until the date when free elections will take place in Romania with plural-parties participation under control of an International Commission sent by U.N.Organization,we ask to the Communist Government of Romania the following measures:

a.-To stop the cruel exploitation of the Romanian workers ;
b.-To permit the Free Unions of Romanian workers and intellectuals;
c.-To release from prison the political prisoners who are detained today in jail or in mental hospitals,and forced labor camps;
d.-to permit the worship of the Romanian Catholic church of Byzantine Rite,which was interdicted starting with December 1,1948;
e.-To accept the free association and activity to other political democratic activities,not only for Communist Party;
f.-To permit the families reunification and free communication of Romanians with other countries;
g.-To stop the political discrimination inside of Romania between the Romanian Communist Party's members and the Romanian opponents and dissidents;
h.-The years served by political prisoners and by prisoners of conscience in jails,psychiatric hospitals,forced labor camps and force residence,to be taken into the amount of their retirement plans as "years served into work's field "or in the pension's plans of widowed wives or orphaned children(2-nd case of decease);
i.-To restore the "Human Rights " in Romania under permanent control of an U.N. Commission of Human Rights.

In order to give more and precise information about the complete lack of freedom ,lack of food,and the Stalinist terror of dictator Nicolae Ceausescu who made the life over there impossible,I present even now some of these cases:
1,-Many Romanians in exile received and still receive many persuasive letters from their parents or closed relatives by duress and fraud, whose content usually is to entrap the refugees.Even my old father-83-years- was forced to write such a letter to me on July 10,1981,but which was retracted by him from other letter of July 13,1981.Enclosed are some excerpts from that of July 10,by which I am advised to go back to Romania "where is a real freedom,plenty and happiness never met.."
2,-Constantin Dumitrescu,67 years old,former lawyer and Secretary of 2-nd Sector Bucuresti of National Peasant Party - Iuliu Maniu, who served 15 Years in communist jail (1948-1963),and after that was sent to forced residence in Latesti -Baragan,where he remained after the conviction term as a protester,was arrested again in 1976 and sent to mental hospital "Poiana Mare " district of Dolj,because he wrote a political essay entitled "THE DENIED DIGNITY",unpublished. Now he is kept under guarded vigilance in Bordusani village,district of Ialomita,nobody having the possibility to see and speak with him.

3.-Eng.Ion Puiu,from Bucuresti 101 Victoria St.,Sector 1,a former political prisoner who served 15 years in jail,and after 1974 was investigated by "SECURITATE "with me and other members of National Peasant Party-Iuliu Maniu,for the same political reasons as I was convicted until April 1976,and is under continuing harassment,being moved to a job in village Jilava,contrary to his will ,although he is a specialist in management and author of "Organizarea Intreprinderii" (2 vol.) printed in 1975 and 1976.He want to emigrate in U.S.A. but can not obtain the proper forms and alowance to leave his native country.

4.-Rev.Gheorghe Calciu-Dumitreasa ,orthodox priest from Bucuresti, a former political prisoner from Pitesti and Gherla Jails,was persecuted and fired on May 17,1978,from Radu Voda Church and Seminary School,because he deplored the demolition of "ENEI CHURCH" from Bucuresti and "DOMNEASCA CHURCH" from Focsani.In 1979 he was sentenced to ten years of prison for "propaganda against socialist order" because in one of his sermons about atheism and Faith,he named the materialism system as a "Philosophy of Despondency".

5.-Eng.Viorel Chirila,from Arad,Cernei Street,Nr.13,a former political prisoner in Aiud jail,during 1975-1976,with his wife Carmen Chirila,an architect,and their sons Chirila Cezar and Caius Chirila are suffering the consequences of the political discrimination, because they asked for the forms to apply the emigration in U.S.A. which were refused to them.

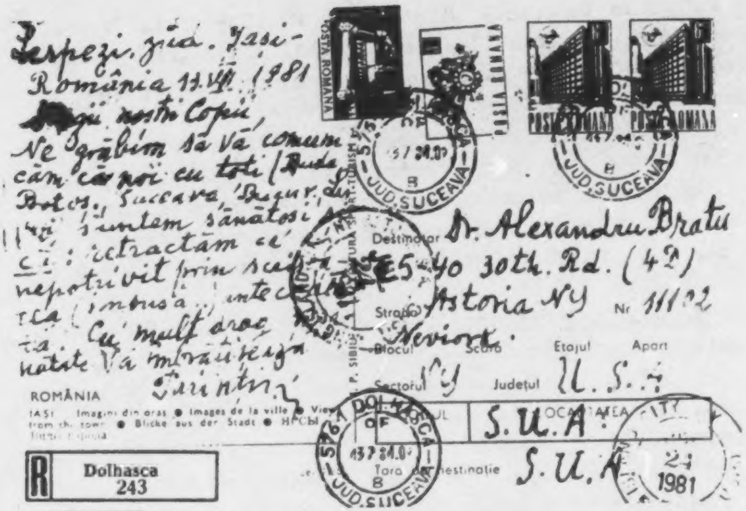
6.My own son Dan Bratu,an assistant engineer and projector,with his wife Alexandrina Bratu,a teacher ,and their children -Dan Stefan Bratu and Alexandru Emilian Bratu,are under harassment of the Securitate Police and Militia Police,because they asked for the applications to leave Romania for U.S.A. for freedom and family reunification.They are living now at 41 B Calarasilor Street,Apt.3,Sector 3, Bucuresti,from where they are menaced to be thrown out because they refused to become informers of Securitate and Militia Police,in order to act against their own conscience.

These examples show to us that the Communist Government of Romania violated and is still violating the Helsinki Agreement from 1975.

In CONCLUSION,we strongly express our hopes that,the U.S. Congress do not grant anymore the Most Favored Nation's Clause to the Communist Government of Romania until the above claims will be accomplished.I am convinced that you will understand my considerations to refuse the M.F.N. for Communist Government of Romania .

God bless America !

Dr.Alexandru Bratu Alex.Bratu



Lespezi, jud. Iasi-
România 13.VII. 1981
Dragii noştri Copii,
Ne grăbim să vă comun
căm că noi cu toţi (Buda
Botoş., Suceava, Bucur., Les
pezi) suntem sănătoşi [illegible]
că: retractăm ce' [illegible]
nepotrivit prin scri[illegible]
ta (impusă...) antec[illegible]
ta. Cu mult drag [illegible]
nătate Vă îmbrăţişează
Părinţii

Destinatar Dr. Alexandru Bratu
Strada 25-40 30th. Rd. (4D)
Astoria NY Nr 11102
Neviork.
Blocul Scara Etajul Apart
Sectorul NY Judeţul U.S.A.
LOCALITATEA S.U.A.
Ţara de destinaţie S.U.A.

ROMÂNIA
IAŞI Imagini din oraş ● Images de la ville ● Views from the town ● Blicke aus der Stadt ●

R Dolhasca 243

DOLHASCA 13 7 81 JUD. SUCEAVA

24 1981

ENGLISH TRANSLATION OF THE ABOVE LETTER:

LESPEZI, DISTRICT OF IASI
ROMANIA 13.VII.1981

ADDRESSEE Dr. ALEXANDRU BRATU
25-40 30-th Rd. (4D)
ASTORIA, N.Y. 11102.
NEWYORK - U.S.A.

OUR DEAR CHILDREN,
we are in a hurry to communicate you that all from (BUDA, BOTOSANI, SUCEAVA, BUCURESTI, LESPEZI) are in good health and that: WE RETRACT WHAT IS IMPROPER FROM OUR PREVIOUS LETTER (IMPOSED...). WITH MUCH LOVE AND HEALTH. YOU ARE EMBRACED by

PARENTS

Accurate translation

Al Brat

-4-

Ar fi o consolare pentru noi să știm că așa departe cum ești nu ți-ai uitat originea de românaș, oare voi ce de acolo nu duceți lipsă portului românesc, popular, a jocurilor, serbărilor cîmpenești...

Eu și cu maicuța nu mai avem multă vreme de dus și ultimele gînduri tot la voi o să ne fie, nu ne împăcăm cu gîndul că o să vă găsiți sfîrșitul prin străini, fără un suflet iubitor, dacă nu de părinți măcar de o inimă care bate cu adevărat românește. — Cred că îți este și ție dor de noi și tare îmi este teamă, că dacă o să mai zăboviți mult printre străini o să găsiți satul lipsit de noi.

— Deci te așteptăm din moment în moment.

Cu toată dragostea

Părinții

PRIN AVION
PAR AVION AIR MAIL

POSTA ROMANA

Doctor Alexandru Brătu
25-40. 30th. Rd. (4D)
Astoria N.W. 11102
U.S.A.

PAȘCANI
10.7.81.22

atalanta
CORPORATION
17 VARICK STREET, NEW YORK, N.Y. 10013 • 212-431-9000

STATEMENT OF:

THE ATALANTA CORPORATION
17 Varick Street
New York, New York 10013

Presented By:

George G. Gellert, Esq.
Chairman of the Board

To the:

Subcommittee on International Trade
Committee on Finance
United States Senate

IN SUPPORT OF PRESIDENT REAGAN'S RECOMMENDATION
TO CONTINUE "MFN" TREATMENT FOR ROMANIA
HUNGARY AND CHINA

August 4, 1981

For Telex communications use services assigned as follows: Shrimp — Lobster — Fish — Cheese Unox RCA 232480 ATA UR ITT 420052 TRADATL
EXPORTS — Imports of Frozen Meat ITT 422005 Communications From: Denmark — Norway — Spain — Hungary RCA 22609 ATA UR
ALL BRANCHES IN USA USE Western Union 125187 CABLE ADDRESS: TRADATLAN — NEW YORK

atalanta
CORPORATION
17 VARICK STREET, NEW YORK, N.Y. 10013 • 212-431-8000

STATEMENT OF ATALANTA CORPORATION, NEW YORK, NEW YORK
PRESENTED BY GEORGE G. GELLERT, CHAIRMAN OF THE BOARD
In support of continuation of "MFN" for Romania, Hungary and China

I. INTRODUCTION

Mr. Chairman and members of the Finance Subcommittee on International Trade:

I am pleased to have this opportunity to submit testimony in favor of continuing for Romania, Hungary and China the President's authority to waive the application of subsection (a) and (b) of section 402 of the Trade Act of 1974 (Public Law 93-618) for an extended period of twelve months to July 3, 1982. Simply stated, our position, in support of the President, recommends the continuation of Most Favored Nation tariff treatment for Romania, Hungary and China.

Atalanta's recommendation is based upon and agrees with President Reagan's determination under section 402(d)(5) of the Trade Act that the extension of the waiver authority will substantially promote the objectives of freedom of emigration in general and, in particular, with respect to these three countries.

For Telex communications use services assigned as follows: Shrimp — Lobster — Fish — Cheese Unox RCA 232460 ATA UR ITT 420062 TRADATL
EXPORTS — Imports of Frozen Meat ITT 422005 Communications From: Denmark — Norway — Spain — Hungary RCA 22680 ATA UR
ALL BRANCHES IN USA USE Western Union 125187 CABLE ADDRESS: TRADATLAN — NEW YORK

II. THE ATALANTA CORPORATION

I would like to briefly provide the Committee with background information regarding Atalanta, which reflects the company's wide experience in East-West trade and which explains its interest in presenting this testimony to the Committee. Atalanta's involvement in East-West trade spans a period of time exceeding thirty years to the benefit of our U.S. economy.

Atalanta is a marketing organization for a broad variety of high quality food items that are imported into the United States from 46 countries. Our company distributes these products throughout the United States. Atalanta's home office is located at 17 Varick Street, New York City, with sales outlets in Allentown, Pa., Atlanta, Ga., Boston, Mass., Chicago, Ill., Cleveland, Ohio, Dallas, Tex., Indianapolis, Ind., Los Angeles, Calif., Miami, Fla., Milwaukee, Wis., Minneapolis, Minn., Orlando, Fla., Philadelphia, Pa., Phoenix, Ariz., Portland, Ore., Raleigh, N.C., San Francisco, Calif., and Springfield, Mass.

Specifically, Atalanta has been importing canned hams and other products of high quality from Romania since 1970. Atalanta's trade has grown with Romania over these years. In 1980, our company imported products totaling $26 million. In addition, Atalanta serves as a member of the United States-Romanian Economic Council which was organized under the auspices of the Chamber of Commerce of the United States and the Socialist Republic of Romania.

Like Romania, Atalanta has enjoyed a good relationship with Hungary for more than a decade and also imports high quality canned hams and other food products from that country. In 1980, we also imported $26 million of Hungarian products. Atalanta is also a member of the United States-Hungarian Economic Council which was also organized by the Chamber of Commerce.

Since the recent time that China received "MFN" treatment, the Atalanta Corporation has commenced importing food products from that country. Our trade in 1980 with China approximated $2 million. We expect a long and mutually rewarding trade relationship with China. We look forward to introducing many interesting Chinese food items to U.S. consumers during the next few years.

Doing business with Romania, Hungary and China has been profitable for Atalanta and, in turn, the United States economy in general. Likewise, it has been profitable for the countries involved which gain dollar earnings that are utilized for the purchase from the United States of manufactured goods and agricultural products. Atalanta is pleased with the warming of relations between the United States and Romania, Hungary and China. We feel that the continuation of Most Favored Nation ("MFN") treatment is essential to a future increase of trade between the United States and each country involved as well as to a better understanding between respective citizens.

III. ECONOMIC INTEREST OF U.S. TO CONTINUE "MFN"

The United States has traditionally experienced, on a cumulative basis, a favorable balance of trade with Romania, Hungary, and China. We are advised by United States Government officials that this favorable trade situation will remain and increase should "MFN" be continued.

The following charts, based upon Department of Commerce statistics, confirms this view.

*U.S. Exports to Romania, Hungary and China

1978-80, January-March 1980, January-March 1981

(In thousands of dollars)

Market	1978	1979	1980	January-March 1980	January-March 1981
Romania	317,423	500,464	720,231	183,400	191,526
Hungary	97,682	77,583	79,020	21,475	24,028
China	818,241	1,716,500	3,748,993	773,908	1,183,152
TOTAL	1,233,346	2,294,547	4,548,244	978,783	1,398,706

U.S. Imports From Romania, Hungary and China

1978-1980, January-March 1980, and January-March 1981

(In thousands of dollars)

Market	1978	1979	1980	January-March 1980	January-March 1981
Romania	344,561	329,051	310,561	63,489	107,946
Hungary	69,153	112,129	104,269	28,306	35,527
China	316,743	548,543	1,039,177	200,188	359,786
TOTAL	730,457	989,723	1,454,007	291,983	503,259

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*Source: Compiled from official statistics of the U.S. Department of Commerce.

The United States, therefore, in the most recent calendar year, 1980, continues to enjoy a cumulative favorable balance of trade of over three million dollars with Romania, Hungary and China. As reflected by the charts above, the trade between the

U.S. and these three countries for the first quarter of 1981 continues to show a favorable and growing balance to the benefit of the U.S. This healthy trend, to the benefit of our country's economy, is predicted by U.S. government trade experts to continue for the forseeable future. The granting of "MFN" for the three countries involved has played an important role in establishing these favorable economic factors which enrich our economy -- at a time when the U.S. overall balance of trade with the world is in the red.

IV. POLITICAL BENEFITS

Furthermore, and of paramount importance, the granting of "MFN" and the continuation of this sound policy, has, without question, improved the political relations between our country and Romania, Hungary and China. The same constructive results have been experienced by the United States with respect to Poland and Yugoslavia -- countries which received "MFN" many years before the three countries which are the subject of your distinguished Committee's attention.

V. CONCLUSION

For the aforementioned reasons, the Atalanta Company sincerely supports and urges that your Committee, and the entire Senate, agree with the President that the continuation of "MFN" for Romania, Hungary and China is in the best economic and political interests of our country.

Sincerely yours,

George G. Gellert

George G. Gellert
Chairman of the Board

STATEMENT OF
THE INTERNATIONAL HUMAN RIGHTS LAW GROUP

Washington D.C.

This testimony is submitted on behalf of the International Human Rights Law Group which is a non-profit legal organization established by the Procedural Aspects of International Law Institute in September 1978, with the assistance of funding from the Ford Foundation and the Rockefeller Brothers Fund. Assisted in its work by lawyers, paralegals and law students, the Law Group provides legal assistance to individuals and non-governmental organizations on a *pro bono* basis and offers educational programs.

For over three years, the Law Group has monitored the Romanian Government's human rights record. Its emigration policies are extremely restrictive. Severe and repressive controls are exercised by the Communist Party over civil and political rights and economic decision making with police harassment, a common feature of everyday life. Oppressive measures are directed against its Hungarian minority which is subjected to a systematic policy of forcible assimilation. This testimony touches all three aspects of Romania's record and weighs them against the requirements of Section 401 of the Trade Act of 1974 (hereafter "Jackson-Vanik Amendment").

The underlying purpose of the Jackson-Vanik Amendment is to promote fundamental human rights. In fact, it begins with the phrase: "to assure the continued dedication of the United States to fundamental human rights," and therefore clearly states that it is concerned with the general issue of human rights as well as with the specific and articulated question of freedom of emigration. This interpretation is not only consistent with the language of the Act but also with the universally accepted standards of human rights. Fundamental human rights cannot be narrowly restricted and confined to the right of emigration. Although the right of emigration is an integral part of an individual's fundamental freedoms, it is merely one of a host of other rights. Although people generally seek the safety valve of emigration when conditions become so unbearable that they can no longer foresee a future for themselves, many do not leave their homeland. Human rights encompass those who wish to leave their countries as well as those who remain behind. Thus, the language of the Jackson-Vanik Amendment itself as well as the internationally accepted norms of fundamental human rights mandate that a full review of a country's human rights practices take place before Most Favored Nation's treatment is extended. Romania's deplorable human rights record justifies a suspension of MFN.

Turning first to the question of the general human right situation in Romania, even a cursory review reveals a dismal situation. As characterized by the Department of State's 1981 Country Reports on Human Rights Practices at p. 866, "Romania is a centralized unitary state. The government exercises strict authoritarian control over civil and political rights and economic decision-making." Moreover, Romania "has strict limitations on political expression and religious activities outside officially designated church buildings." Both the Department of State's report as well as Amnesty International's 1980 Report on Romania beginning at p. 290 documents that government's gross and persistent human rights violations which include the physical and psychological abuse of political prisoners; intolerable conditions of confinement for prisoners; internment of prisoners and dissidents in psychiatric hospitals; police harrassment, arbitrary arrest and imprisonment exacerbated by the lack of effective legal remedies for persons subjected to such treatment; denial of a fair public trial; forced entry into homes in cases of political dissidents; the imprisonment of those seeking to form free trade unions; and the harassment and persecution of religious groups and their members. An example of the latter is the harassment of the leaders of the Romanian Christian Committee for the Defense of Freedom and Conscious ("ALRC") which was founded in 1978 by Baptist and other Protestants. Amnesty International reports on p. 293 that members of this group are prosecuted for their religious activity, including Dimitri Ianculovic of Timisoara who was sentenced to 6 months imprisonment in 1979 and the Hungarian Baptist

ALRC member Ludovic Osvath from Zalau who was sentenced to one year's forced labor in 1979 for protesting his expulsion from the official Baptist Union and his dismissal from employement.

Rather than improving, conditions have deteriorated since MFN has been extended to Romania. In fact, the trend has been described by Amnesty's Report after its visit to Romania wherein it concluded,

> "in the past year, human rights activists in Romania continue to report cases of violation(s) of human rights and new groups emerged to advocate the rights of freedom of assembly, of conscience and of movement, and the rights of workers. Since February 1979, in particular, conditions have deteriorated and a wave of arrests have been reported in Bucharest and other major towns, involving workers, intellectuals and religious dissenters."

In addition to the deprivations of these civil, political and religious rights suffered by the general population, the members of Romania's Hungarian minority - the largest national minority in Europe - face an additional host of oppressive policies which are aimed at forcibly assimilating and destroying their culture. These policies include the closing of Hungarian language educational institutions at the elementary and high school levels and the elimination of Hungarian universities; the dissolution of compact Hungarian communities; the suppression of Hungarian and other minority languages "even at meetings of the Nationality Workers Councils" (letter from Karoly Kiraly to Janos Vincze, dated September 10, 1979); curtailment of human contacts and cultural exchanges as well as the cultural opportunities within Romania; harassment of churches and religious groups and the confiscation of the archives; falsification of census figures and history; and the concommittant persecution of indivuals who raise their voice against political, social, cultural and religious discrimination, with the most outspoken individuals being condemned to forced labor camps or to psychiatric hospitals. The denial by the Romanian government of many of the fundamental human rights, such as a right to liberty and security of person, serves to perpetuate the systematic violation of minority rights and enables the government to implement its policy of discrimination and forcible assimilation of Romania's Hungarian and other minority groups.

Not only has the Law Group found these conditions to exist with respect to the denial of human rights to the general population and national minorities, but they also have been corroborated by a massive body of irrefutable evidence which includes letters and memoranda from Romanian-Hungarian politicians, scholars and intellectuals, scholarly studies appearing in the United States and Europe; communications, statements and studies from groups monitoring human rights violations in Romania; and reports appearing in the mass media.

Both the general suppression of human rights as well as the violations endured by Romania's Hungarian and other minorities solely because of their ethnicity justifies withholding MFN until Romania expresses a genuine intent to conform its behavior in dealing with its citizens to the minimum yet binding international standards of human rights.

The Jackson-Vanik Amendment, however, goes on to proscribe the extension of MFN to any non-market economy country which "(1) denies its citizens the right for opportunity to emigrate; (2) imposes more than a nominal tax on emigration or on the Visas or other documents required for emigration for any purpose or cause whatsoever; or (3) imposes more than a nominal tax, levy, fine, fee or other charge on any citizen as a consequence of desire such citizen to emigrate to the country of his choice."

Romania's emigration practices fall well short of the standard enumerated by the Jackson-Vanik Amendment and by the international instruments acceded to by Romania. This is reflected by the Department of State's Report, supra, in which it states that "Romania maintains a tight emigration policy". which attempts to discourage emigration through administrative, social and economic constraints which can often impose a heavy burden upon individuals, including loss of job, demotions, reductions in salary and other forms of discrimination during the lengthy period when an application for emigration is pending." Similarly, the report to the Congress by the Commission on Security and Cooperation in Europe, August 1, 1980 at p. 232 characterizes Romania's policy toward emigration as one of,

> "discouragement bordering on hostility--(which) has remained unchanged during the past three years. The Romanian state does not recognize the right to free movement, rather it claims a right to control the movement of citizens. Romania regards emigration and foreign travel as privileges the state bestows and asserts that it is each citizens duty to remain in his or her homeland and contribute to its develop-

> ment. Consequently, the laws and regulations governing the movement of citizens out of Romania are designed to restrict, rather than facilitate travel across the borders. Leaving or attempting to leave the country without official permission is regarded as a crime against the state."

This policy is exacerbated by the strict and narrow interpretation of the already restrictive emigration laws. Although emigration to the United States has slightly improved, Romania's emigration record remains poor and the conditions to which would-be emigrants are subjected are severe. In the words of the Commission's report, "the would-be emigrant from Romania must face, seemingly insurmountable procedural difficulties and endure psychological and material presures imposed by the government to deter him or her from attempting to leave the country."

The cases before the Law Group, a sampling of which is provided to the Congress and attached hereto as exhibit A, demonstrate the severe deterrence to Romanian citizens seeking to emigrate from that country to the United States. They demonstrate the persecution of family members of those, who after scaling the seemingly insurmountable obstacles, are able to emigrate; the harassment and persecution of those seeking to emigrate, i.e., loss of jobs, demotion, police harassment; the repeated denials of exit visas to those seeking to emigrate, the denials of application forms to those seeking to emigrate; and the denials of requests to visit with family members abroad. Although the only justification for leaving Romania which is recognized by the government are family visits or family reunifications, the cases before the Law Group all involve families divided between the United States and Romania and thus reveal the unwillingness of

Romania to even permit its citizens to exercise their very limited right of family reunification. (See Appendix)

Until Romania shows a real willingness to facilitate freedom of emigration and family reunification in accordance with the Helsinki Final Act, the United States should not grant Romania Most Favored Nations Treatment. To do so would be in violation of our laws. The Law Group in reaching this conclusion does not seek to adversely affect U.S. Romanian relations; rather, it urges this Committee to send out a clarion call to Romania that the United States is not indifferent to the fate of countless families denied their right to reunification, in particular with their family members in the United States. Nor is the U.S. government indifferent to the fate of Romania's oppressed population, including its 2.5 million Hungarian minority, and will insist on respect for fundamental human rights as a condition for preferential treatment by the United States. This is not only morally appropriate but it is required by Section 402 of the Trade Act.

APPENDIX

Cases of Family Reunification Romania - United States

1. Alexandroaie Family

Petitioner - Constantin Alexandroaie
Residence - USA; Left Romania in December 1979; Tried in absentia and condemned to 7 years imprisonment; apartment and belongings reportedly confiscated.

Family members - Wife, Josefina, 45 years, Jewish, unemployed,
Daughter, Violeta, 18 years, high school student.

Residence - Bucharest, Str. Dr. Staicovici Nr. 13. Sectorul 5. ✓

Wife and daughter denied permission to emigrate by Romanian authorities in May 1981 and again in June 1981. U.S. Immigration and Naturalization Service approved immigration visas for both.

2. Andreiovici Family

Petitioner - Catalina Petroniu and Mother
Residence - USA.

Family Members - Aunt (mother's sister), Elvira Andreiovici
Uncle, Miacea Andreiovici
Two children, Camelia, 20 years; Aurelina, 14 years

Residence - Bucharest, Str. Regenrarii Nr. 9

Six applications to emigrate by this family have been rejected. They are reportedly being subjected to harassment. Both parents have been dismissed from their jobs and their 20 year old daughter has been unable to find employment because of their application to emigrate.

3. Bazilescu Family

Petitioner - Dr. Dan G. Pavel, Director of Nuclear Medicine.
University of Illinois Medical Center; Chicago.
Residence - USA; left Romania in 1969.

Family Members - Sister, Dr. Irina Bazilescu, 42 years.
Brother-in-law, Dr. Sergiu L. Bazilescu, 50 years.
Two children, Anca (11 years), Ilinca (8 years).

Residence - Bucharest, 70207, 6 Intr. Caragiale. ✓

The Romanian authorities have denied exit visas for the family for more than three years. (At first they were denied application forms.) They have been subjected to severe harassment. Dr. Irina Bazilescu was fired from both an academic position at a medical school and from a hospital position and was assigned to work at a swimming pool. Her husband was fired from his position as senior attending physician in a Bucharest hospital and assigned to a hospital 150 miles away; he refused to part from his family and is unemployed. The U.S. Immigration and Naturalization Service has approved immigrant visas for the family.

4. Nicolescu Family

Petitioner - Professor Sever Tipei
Residence - USA; left Romania in 1971 with his parents.

Family Members - Aunt, Corina Nicolescu
Cousin (aunt's son), Christian Nicolescu, 34 years.

Residence - Bucharest, Aleea Compozitorilor Nr. 4, Apt. 7,
Bloc F 17, Drumul Taberei.

Both have been denied exit visas for 3 years. Mrs. Nicolescu has been denied a visa four times and also has been denied a passport to visit the US. Christian Nicolescu has been denied a visa four times and has been fired from his job. The U.S. Immigration and Naturalization Service has approved an immigrant visa for Mrs. Nicolescu.

5. Pieptea Family

Petitioner - Dan R. Pieptea
Residence - USA

Family Members - Brother, Mihai Pieptea, 28 years
Sister-in-law, Crenguta Mihaela, 27 years.
Their daughter, Iris Laura, less than one year.

Residence - Bucharest, Str. Lirei No. 15, Sect. 2, COD 73234.

This family has been denied an exit visa since June 1980. Both Mihai Pieptea and his wife have lost their jobs; as a result, Mihai Pieptea, a mathematician, is working as an unskilled laborer.

Over 100 American citizens have signed a petition on behalf of this family's right to emigrate and against most favored nation treatment for Romania.

6. Croitoru Family

Petitioner - Gheorghe Croitoru
Residence - USA; left Romania in 1979.

Family Members - Wife, Constanta, 31 years.
Four children - Marius (11 years), Narciz-Vladut (4 years), Gheorghe (1 year),
Daniela (10 years).

Residence - Carbunesti Village, Prahova District.

Mr. Croitoru, a worker, reports that his family in Romania is in financially desperate straits.

7. Marmureanu Family

Petitioner - Rev. Fr. John Marmureanu
Residence - U.S.A.

Family Members - Daughter, Georgeta Petrini
Son-in-law, Silviu Petrini

Residence - 16 Orientului Street, Bldg. 801, Apt. 5
Sc. B - Iasi - 6600, Romania

Both have been denied a visa for two years. The petitioner went to Romania in June 1981 to urge Romanian officials to allow his daughter and son-in-law to emigrate to the U.S. His appeal to Romanian officials has been unheeded.

Cases of Families Desiring to Emigrate to the U.S.

8. Mateescu Family

Petitioner - Ioan George Mateescu

Family Members - Self, Wife and two children

Residence - Bucharest, Bulevardul Constructorilor N. 19.
Sc. B, Floor 1, Apt. 28, Sectorul 6.

This family, which has applied to emigrate to the U.S., has reportedly been denied exit visas four times, beginning in 1979. The family are Seventh Day Adventists, and report being subjected to persecution, including job dismissal of the father, police harassment, and fines for Bible reading with other Adventists.

Statement of
Nicolae Dascalu
on the extension of most-favored-nation-status
to Romania
before the U.S. Senate Committee on Finance
July 27, 1981

My name is Nicolae Dascalu. I am a native of Romania and a graduate of the University of Bucharest. I taught English at a high school in Bucharest until 1977 when I was fired from the school system because of my involvement in the human rights movement in Romania. I was given a passport, "advised" to leave the country, and warned not to return or I would again be subjected to endless interrogations, humiliations, insults, threats, savage beatings, and so on. I traveled to Austria and Great Britain from October 1977 to March 1978, using this opportunity to improve my German and to make an intensive study of the educational system in Great Britain.

Persecution continued when I returned to Romania in March 1978. I earned my living by private English and Romanian instruction to Japanese businessmen's families in Bucharest.

In February of 1979, I founded an Amnesty International Branch in Bucharest, and in March of the same year, I joined the Free Trade Union of Romania, founded by Dr. Cana and collaborators.

I was arrested in April of 1979, and tried in May. There were no legal grounds for the trial; it was held without my consent and in spite of my protests. I was sentenced to 18 months in jail, which was reduced to 10 months on appeal. I served out the entire term in the prisons of Bucharest and Galati.

Upon my release, the secret police informed me that I was to be exiled as soon as it was convenient for them. In the meantime, they gave me some poorly-paid translations to do at home in order to earn my living.

I left Bucharest on March 27, 1981 and arrived in New York on April 1 after a short stay in Rome.

Since 1977, the human rights situation in Romania has deteriorated considerably. As voices demanding respect for man's dignity increased followed by numerous actions of protest, the regime realized that it was losing control and, after a short period of confusion, insecurity and hesitation, embarked on a gradual course of suppressing any kind of opposition, dissatisfaction, suggestion of reform, or even more theoretical, abstract deviationism. Long prison terms were imposed on people for their thinking, not for their actions. An outstanding example is the case of Father Gheorghe Calciu Dumitreasa who was condemned to 10 years' imprisonment for having taught the Gospel and having preached love and harmony among people as opposed to hatred and divisions taught by the Marxists. Trials are conducted behind closed doors, in secret, without proper defense, often by military tribunals. Judges are only the last link in the chain of decisions, vertically held, whose only role is to read the sentence to the condemned person. Political prisoners are subjected to psychiatric maltreatment in secret hospitals or solitary confinement and permanent psychological warfare, often accompanied by sheer brutality, in penitentiaries. The plight of common prisoners is hard but normal; they are in prison to have fear inculcated in them. Political prisoners are there for extermination. If they do not manage to disintegrate your personality, to break your will and make you submissive, they exile you. There are persistent rumors in Romania that they even assassinate you in all kinds of accidents, as the rumor goes about Dobre and Jurca, two leaders of the Jiu Valley strikes in August 1977, or about Vasile Paraschiv, an activist in The Free Trade Union of Romania's Workingmen. In the aftermath of the Jiu Valley strikes, when the miners forced the Government to satisfy all their demands, the regime started its slow but unfaltering process of repression: over 4,000 miners were transferred to other working-places, in most cases not according to their skills and much more poorly paid; hundreds of the more active and outspoken miners were given prison sentences on trumped-up charges or for trifles; thousands of disguised agents were introduced into the mines to inform the secret service, and to create confusion. That is probably the explanation why the Jiu Valley miners did not strike in support of their leaders when they were taken away from them into isolation and, according to rumors, death. The Jiu Valley area was surrounded by army divisions for months after the strikes.

In the spring of 1979, the most significant labor movement in recent history was suppressed with unusual harshness. The communist regime claiming to represent the workingmen was extremely furious when the union's program called for the abolishing of privileges, for social security and unemployment benefits, for a fair system of pensions, etc. The founding members were arrested within five days of announcing their program. Dr. Ionel Cana was condemned to 7½ years' imprisonment, Georghe Brasoveanu to 5½ years; nothing is known about the other founding members. Virgil Chender, one of the founding members of the Unofficial Trade Union of Workers, Peasants and Soldiers of the Mures District, which was affiliated with The Free Trade Union of Romania's Workingmen, was interned in a psychiatric hospital and has not been heard from since.

Hundreds of persons were condemned for their involvement in the SLOMR. About 50,000 people were arrested and condemned to terms of up to 6 months' imprisonment between March and June 1979. All prisons were filled to capacity, prisoners slept two in a bed, and thousands of them were incarcerated in tents in the prison's courtyards. The regime was making desperate efforts to suppress the union.

At the beginning of March 1979, I announced the formation of an Amnesty International group in Bucharest. Most of the members of the group joined the union. When the founding members were arrested, we took over the task of organizing the union and at the beginning of April we were also arrested. Some of us received prison sentences and others were harassed and exiled. The only person left in Romania who belonged to our group is my brother, Ilie Dascalu; he works in a factory in Bucharest. He is permanently subjected to harassment, intimidation and threats. The police told him that he would have to leave the country, but when the time was convenient for them, and in the meantime he should never mention SLOMR.

Under the circumstances, the Polish crisis and the successes reaped by the workers there came as the worst conceivable development at the worst possible time for the communist regime in Bucharest. There was no indication that organizers of local conflict were jailed or isolated, though it seemed a miracle that none of the strikes ended up in demanding recognition of free unions.

It has been said that MFN has been given to Romania in recognition of, and as an encouragement for, its independent line in foreign policy. Romania's independence is just empty words as long as the regime remains foreign-imposed, foreign-modelled and foreign-supported. Who will guarantee its independence: the Romanian people who have been despised, mistreated, annihilated economically and politically, transformed into an amorphous mob, manipulated into the most passive acceptance in their history by a small Moscow-designated communist oligarchy? Therefore, when he makes statements about Romania's independence, President Ceausescu should be considered a private citizen or a representative of his family.

His regime, just like his predecessors, has brought nothing good to the people of Romania. By the same methods which the communists used to seize power in 1947 -- fraud, blackmail, deceit, lies, mystification, threats, sheer brutality, etc. -- he manages to maintain bewilderment and disorientation among people and make them unable to oppose, and demand the change of, a disastrous bankrupt system. Unhindered by what he regards as a whim of the western world to show some kind of consistency and follow a line, Ceausescu plays his foreign policy tricks whose only purpose is to deceive world opinion and gain personal glory and legitimacy. One of the secret police officers summed up Caesescu's opinion about the western world during one of my long interrogations (I am trying to reproduce it as best I can remember in his words): "We have a police force, a secret police force and an army. We have all kinds of guns which we will not hesitate to use if our power is threatened. You who want change may be more intelligent than us but we have the power and we would shoot at masses of people if necessary to remain in office. As far as the western world is concerned, don't you worry, we have our means of manipulating their image about us. We have our professional psychologists whose only business is to study the West and come up with deceiving solutions. Let me give you an example to illustrate my point and convince you how clever we are. Here is how we deceive them concerning the plight of opponents to the regime, people like you. If you become too inconvenient we will deal with you in one of the two ways, i.e., either crushing you savagely or trying to make you give up depending on whether you are in the West or not. If you are known and the western world expresses concern about you we will let them know that we have no knowledge of such and such a person but we are willing to cooperate and ask the department in charge, i.e., the Ministry of the Interior, to investigate the allegation. That is a gentleman's world and the mere sign of willingness to collaborate makes them believe us. Then we follow up with a letter to the effect that you do exist, though have no prominent role in society, and that you have been imprisoned by due process of law. If they seem not to believe us that you did something illegal, we confidentally explain that your condemnation was necessary to avoid a Russian invasion which would have occurred if we had allowed you to exercise "your rights" as they put it. Then we will say you are free to emigrate on completion of your term if you choose to. They will not know that we will starve you, harass you, insult you, and terrorize you and your family to make you leave. The moment you are there you can say whatever you please -- it will have no more effect. And we will "let" you go when we want some advantages, such as MFN clause."

If they want favors from the free world, such as recognition, security, cooperation, they must gain legitimacy in their own country. And they will have legitimacy only when they are brought into office by free, democratic elections.

Sound political judgement made three U.S. presidents issue a waiver for Romania, and the U.S. Congress has agreed to the MFN clause so far because they thought that would promote the humanitarian objective of the Jackson-Vanik amendment -- and I insist that the MFN clause has helped a lot in this direction -- and an improvement of their economic relations would improve the well-being of the people.

But the Congress has a moral obligation as the guardian of the great principles on which the American State was founded to demand of the Romanian government that it should respect its citizens and especially never to cease making it clear that the MFN benefits are meant to be expressed to the people of Romania for promoting their well-being, not to be used by the regime for their oppression.

NICOLAE DASCALU
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NEWS FROM

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For Immediate Release
July 14, '81

Contact: Glenn Richter, 799-8900

CALL TO PRESIDENTS' CONFERENCE FOR NEW INITIATIVES ON RUMANIAN JEWISH EMIGRATION

In a strongly worded letter to each of the organizations comprising the Conference of Presidents of Major American Jewish Organizations, Center for Russian and East European Jewry national director Jacob Birnbaum called for a series of new initiatives on Rumanian Jewish emigration before the July 27th Senate hearings on renewal of most-favored-nation trading status for Bucharest. Such renewal is dependant on Congressional determination whether Rumania is making satisfactory progress towards freer emigration under the Jackson Amendment.

Citing the "outrageous drop" in annual Rumanian Jewish emigration from over 4,000 in the years before Bucharest received American economic benefits in 1975 to barely 1,000 in recent years, Birnbaum pointed out that the first six months of 1981 saw only 329 Rumanian Jews reach Israel. "This monthly average of 55 contrasts dramatically with the monthly 250 - 350 before 1975," he said.

Birnbaum deplored the failure of the Conference's spokesman at the June 22nd House hearings on MFN to protest "so pitiful a rate" of migration. "By accepting the Rumanian contention that the Jewish population was aging so rapidly that the emigration potential was on its way to becoming negligible, the Conference has fallen into the Rumanian trap. American Jewry's future efforts would be inexorably confined within a sham demographic box."

(more)

Birnbaum pointed out that Rumanian census figures were contradictory and that a recent analysis of this indicated that Bucharest's figures were "gross underestimates."

He reported the contention of various influential Washington personages that the signals eminating from the American Jewish community had been "notably weak" on this question. He called for "vigorous initiatives" by American Jewish leaders based on a 1979 Senate Finance Committee recommendation for the initiation of a "renewed, more aggressive effort" to obtain from Rumania "more specific assurances regarding emigration".

Birnbaum contended that "since Bucharest had established an annual emigration flow of approximately 11,000 Rumanian Germans to West Germany and about 3,000 other citizens to the U.S., similar arrangements could be made for Jewish emigration to Israel to revert to the annual 3-4,000 figure of only a few years earlier." He argued that "a comprehensive strategy should include --

- extensive utilization of Congressional leverage so much feared by the Rumanians
- firm signals to Bucharest that the present emigration rate is totally unacceptable
- detailed monitoring of the migration flow and close followup of individual cases
- coordination with the group most active on Rumanian Jewish emigration for years, the Center for Russian and East European Jewry."

Birnbaum expressed the hope that the Conference's Senate testimony on July 27th would reflect "a vigorous new policy".

Rumanian emigration sharply decreases, new report says

Only 282 Rumanian Jews were permitted to leave for Israel during the first five months of 1981, an average of 56 per month, according to Center for Russian and East European Jewry national director Jacob Birnbaum.

This is in startling contrast to the 250-350 monthly average during the first half of the 1970s when Bucharest was angling for economic and political favors from Washington.

Deploring this trend, Birnbaum appealed to the American Jewish community to make a greater effort to utilize the strong leverage afforded by the upcoming Senate and House hearings on the Jackson Amendment reviewing the annual grant of Most-Favored-Nation (MFN) trading status and associated economic benefits to Rumania.

"Prominent Washington officials have complained of the weakness of signals reaching the Administration and Congress about American Jewry's concern on Rumania's poor Jewish emigration performance," Birnbaum declared. "It was particularly felt that strong Congressional pressure now would be most helpful in sending the required message to Bucharest.

"Rumania has regularized its annual emigration to West Germany (about 11,000 yearly) and to the U.S. (about 3000 yearly). There is no reason why Rumanian Jewish emigration should not, at the least, revert to the annual 3-4000 yearly exit of the first half of the 1970s."

Jewish Week (NY)
June 10, 1981

JEWISH GROUPS URGED TO TAKE NEW INITIATIVE ON RUMANIAN JEWRY

NEW YORK, July 16 (JTA) -- Organizations comprising the Conference of Presidents of Major American Jewish Organizations are being asked to take new initiatives on Rumanian Jewish emigration before the July 27 Senate hearings on the renewal of most-favored-nation status for Rumania. Such renewal is dependent on Congressional determination whether Rumania is making satisfactory progress toward freer emigration under the Jackson Amendment.

In a letter to the constituent organizations of the Presidents Conference, Jacob Birnbaum, director of the Center for Russian and East European Jewry, cited the "outrageous drop" in annual Rumanian Jewish emigration from over 4,000 in the years before Bucharest received American economic benefits to barely 1,000 in recent years. He noted that during the first six months of 1981 only 329 Rumanian Jews received exit visas. "This monthly average of 55 contrasts dramatically with the monthly 250-350 before 1975," Birnbaum said.

Birnbaum contended that "since Bucharest has established an annual emigration flow of approximately 11,000 Rumanian Germans to West Germany and about 3,000 other citizens to the U.S., similar arrangements could be made for Jewish emigration to Israel to revert to the annual 3,000-4,000 figure of only a few years earlier." Birnbaum urged that "a comprehensive strategy should include: firm signals to Bucharest that the present immigration rate is totally unacceptable; detailed monitoring of the migration flow and close followup of individual cases."

Jewish Telegraphic
Agency, July 17, 1981

American Romanian National Institute

GORDON SQUARE ARCADE
6516 Detroit Avenue, #248
Cleveland, Ohio 44102

AREA CODE 216
TELEPHONE 781-6676

July 15, 1981

Chairman, Sub-Committee on Trade
Finance Committee, Senate
#2227 Dirksen Senate Office Building
Washington, D.C.

Dear sir:

Attached are three brief statements reflecting the views of: 1) Rev. Danila Pascu, a Baptist Minister, and Secretary of this organization, the American Romanian National Institute; 2) Mr. Theodore Miclau, of the Orthodox faith, and Vice-president of this organization, and the undersigned, who is of the Byzantine Catholic faith, and President herein. The views, while personal, reflect a cross-section of the American-Romanian group.

The undersigned has authored a book which is precisely now at the bookbinder, entitled, "Ceausescu of Romania, Champion of Peace," The attached statement in that regard is necessarily brief, but the entire statement of the undersigned may more properly be considered to be the mentioned book. For this reason, in addition to providing the committee with fifty copies of the statements herein, fifty copies of the book will also be brought to Washington for distribution to the committee, etc., if the undersigned is accepted as an oral witness at the hearing. If accepted, the attached statements of Rev. Pascu and Mr. Miclau will be joined, as with this letter.

Respectfully,
Nicholas A. Bucur
Nicholas A. Bucur

STATEMENT OF REV. DANILA PASCU

Secretary of the American Romanian
National Institute

Between the years of 1929 and 1939 I was one of the leaders of the Baptist Union of Romania, when I settled in the United States as a Baptist pastor. Since 1929 I was an active member of our Baptist church"s movements, organizing choirs and multiple services for the young people. I did these in the Romanian, Hungarian and German churches.

Beginning with the year of 1921 I took part with the Baptist brethren in their joys and sorrows alike, also persecutions of all sorts, between the two wars. Pastors and lay people suffering for their faith, school children subjected to many restrictions, locked and sealed churches, etc. In 1938 I conducted a Baptist delegation to the Prime Minister of Romania, Octavian Goga, the poet, and his Minister of Religious Cults, Rev. Lupas, to ask for the opening of our Baptist churches throughout the land of Romania. When I left for the United States in 1939, our churches were still locked and sealed.

AFTER 27 YEARS

On a visit after 27 years I went to see my relatives who were still alive. My parents, from whom I had taken leave in 1939, were gone into eternity. After seeing my relatives, I visited the churches which I had served in Romania, the beautiful church of Buteni and all the churches along the White River Valley, also my minister friends and fellow workers of the past. In Bucharest I had the honor of an audience with the Minister of Cults and Public Education. During this visit and the others that followed I found that the situation of the Baptist Cult after the last World War is satisfactory and much better than it ever was. What I want to say is that the Baptists are not more privileged than the other cults, namely the Orthodox, the Lutherans, the Reformed, etc. No! But, that the Baptists of Romania, after the second World War, are enjoying a freedom they did not have before. Today the Baptists of Romania are a recognized cult and they worship in large and beautiful churches. The Baptist pastors are free to serve the religious interests of the believers in the church and in their homes. The leaders of the Baptist Union of Romania are free to participate at the meetings of their brethren all over the world.

I affirm the above statement as an eye witness, who saw at first hand of what I have written, for over fifty years, as to the development of the Baptist movement in Romania.

Rev. Danila Pascu
REV. DANILA PASCU

July 14, 1981

STATEMENT OF
THEODORE MICLAU, SR.

July 14, 1981

The undersigned, Theodore Miclau, Sr., is a resident of Cleveland, Ohio, an American of Romanian descent, a businessman, member of Sr. Mary's Romanian Orthodox Church, and vice-president of the American Romanian National Institute.

It is my opinion that MFN should be extended for Romania. I believe that this will encourage even more trade between our two countries, and this would result in the mutual advantage of both of our countries.

It is my view that Romania has loosened up on its emigration policy and is showing more liberal signs than ever before in that direction. I have seen many newcomers in Cleveland, and also in Florida. They are still coming.

I also believe that Ceausescu, due to his performance on the international scene will eventually replace Tito as the spokesman for the Third World, and will acquire even more prestige than he has now as a peace-maker.

As far as the Hungarians in Romania are concerned it is my view that they are not mistreated, and in fact, if anyone does the mistreating, they mistreat the Romanians. They are still fighting for Transylvania, when this should be a settled question and not the source of agitation.

Once again, I urge the extension of MFN for Romania.

Theodor Miclau

THEODORE MICLAU, SR.
Vice president, American
Romanian National Institute

STATEMENT OF
NICHOLAS A. BUCUR, JR.
PRESIDENT OF THE AMERICAN ROMANIAN NATIONAL INSTITUTE

The undersigned urges extension of the MFN privilege to Romania and further urges that the extension be for more than a year. The progress made by the government of Romania in relation to a more liberalized emigration policy has been evident in recent years. Mutual trade has passed the billion dollar mark, as was predicted in 1978 by President Ceausescu in a personal interview with the undersigned in his office in Bucuresti.

The undersigned has written a book entitled, "Ceausescu of Romania, Champion of Peace" which is being published right now and every effort will be made to provide the committee with fifty copies as soon as the bookbinding is completed (scheduled for July 23, 1981). That book is a more complete personal statement by this writer of his views not only on Romania's foreign policy as a whole, but also on Ceausescu's personal efforts toward world peace, disarmament, and international collaboration.

Romania's Peace Principles, as adopted and promulgated by Ceausescu, in spite of the fact that he is a communist, are deeply rooted in her history and clearly show her desire for peaceful cooperation among all nations. Her record clearly shows also the desire of her leaders and people to cooperate with the West, especially the United States, more than ever, and of their deep commitment to detente and to support of the United Nations.

Romania's maverick role vis a vis the Soviet Union is widely known, but less known, perhaps, is the impact which her independent stance has created in the Third World. The United States needs every friend we can get and keep and MFN is the means of demonstrating clearly our desire to treat Romania as equitably as other nations who, being our friends, enjoy even-handed treatment on the part of the United States.

Romania's role as a catalyst, peace-maker, and advocate of peaceful negotiation is described at greater length in my book. It is with respect that I urge members of the this committee to read it and the suggestion is made not in a spirit of pride, but in the direction of seeking to provide more information about the actual role of a gallant, brave, and fine people who have suffered invasions but who never betrayed their Peace Principles.

Nicholas A Bucur

Nicholas A. Bucur, President

ANETA CARABELAIAN
53-27 196th St.
Flushing, N.Y. 11365
Tel.(212)631-9345

Honorable Genlemen,

Being present at the hearing held on June 1oth 198o, I could not belive that it would be necessary for me, to participate again in 1981.

Since then, a year of hope, a year of disappointment has passed.

In 1979, my relatives from Romania, Bucharest:
-Alexandrescu Valeria- mother
-Alexandrescu Elena - sister
-Pleacof sorin - nephew
applied to reunify our family in the United States. So far.they were admitted to six hearings and received four negative responses, without any explanation which would justify them.

What could be more natural than a mother to wish to live with her children? Is there anybody in the Romanian Government who consider such a wish a crime, or belives that it is not one of the most basic human rights for a family to live together?

The best proof that the Rumanian Authorities do not respect the Helsinki accords, is my presence here, along with the people outside who are on a hunger strike for similar reasons.

My hopes lie in the belief that the Romanian Government will start to fully respect the human rights and that, this is the last time I will need to be present at such a hearing.

I agree that the United States can give Romania the most favorite nation's clause, but not before our families are granted their passports.

Sincerely,
Aneta Carabelaian

STATEMENT

by the

United States Chapters of the Transylvanian World Federation

and Affiliated Organizations

addressed to the

SENATE COMMITTEE ON FINANCE
SUBCOMMITTEE ON INTERNATIONAL TRADE

on the subject of

TERMINATING THE MOST-FAVORED-NATION TREATMENT

previously granted

to the

SOCIALIST REPUBLIC OF RUMANIA.

U.S. Branches of the Transylvanian World Federation and Affiliated Organizations, composed of fifty-four independent civic organizations of United States citizens in eighteen states.

Offices: Rt. 1, Box 59, Astor, Florida, 32002. Tel. 904-759-2255.
1450 Grace Avenue, Cleveland, Ohio, 44107. Tel. 216-226-4089.
3914 Terrace Drive, Annandale, Virginia, 22003. Tel. 703-354-7979.

April 27, 1981.

INTRODUCTORY STATEMENT

The duly elected executives of the U.S. Branches of the Transylvanian World Federation and Affiliated Organizations, with the full and undivided support of the entire membership residing in eighteen states of the United States of America, and composed exclusively of loyal citizens of this great country,

respectfully request

that the Most-Favored-Nation status previously granted to the government

of the

Socialist Republic of Rumania

be terminated or suspended for the period of one year, during which time the government of the Socialist Republic of Rumania may be requested to furnish reliable proof that the reasons for this action as listed in this document are eliminated, and the grievances, infringements and violations properly rectified through due governmental process.

Our request is based on the grounds that the government of the

Socialist Republic of Rumania

is pursuing an extremely brutal ultra-nationalistic policy

while ruling over a multi-national country,

and as we shall prove, it violates the rights as well as the very existence of more than one-fifth of its total population by the use of terroristic methods against ethnic minorities intolerable in a civilized world.

Furthermore, we shall prove that the government of the Socialist Republic of Rumania is found in flagrant violation of the Peace Treaties, the Helsinki Act, and of its own constitution, and is guilty of cultural genocide, ethnocide, and other acts against humanity.

CONDENSED BACKGROUND STUDY

Transylvania is located in the Eastern most part of the Carpathian Basin. A glance at the map will show us that this basin is completely surrounded by the Carpathian Mountains forming a compact geographical and economical unit. This land has been inhabited by Hungarians since 895 A.D. and became over the centuries one of the most successful and long-lasting political and cultural units of Europe. Transylvania played an important cultural as well as political role within this unit for ten centuries as part of the Hungarian homeland. It was the cradle of Hungarian art and literature. From the sixteenth century on it became the fortress of religious freedom: the first country on earth where man's right to pursue his own religious belief was declared the law of the land. The Hungarian educational institutions of Transylvania were esteemed all over Europe from the fifteenth century on. A lively exchange of educators and students with Italian, French, Dutch, English and German universities kept the Hungarian cultural life of Transylvania abreast of the world's great cultural achievements.

Rumanian herdsmen began to move from the south across the high ridges of the Carpathians into the Hungarian Kingdom during the fourteenth century, seeking new pastures for their sheep herds. From the seventeenth century on groups of Rumanian refugees fleeing from their own despotic rulers asked permission to cross the border and they were granted asylum. More and more refugees came and settled in different parts of Transylvania. The Hungarian administration built villages for them; churches and schools in which they could serve God their own way and teach their children in their own tongue. The new immigrants were aided in developing their own culture and as time went on they became prosperous and multiplied in numbers.

At the end of World War I, based on the fact that 52% of the population spoke the Rumanian language, Transylvania was awarded to the neighboring Rumanian Kingdom and the ordeal of the native Hungarian population began. Torn from the Hungarian majority-block of the Carpathian Basin by military force, and thrown into minority status within a primitive Balkan country, Transylvanian Hungarians had to endure unprecedented discrimination and injustice. The Hungarian-educated Rumanian middle-class respected the ancient Hungarian cultural institutions of Transylvania and made no serious attempts to destroy the Hungarian cultural heritage of the subdued people. Eventually, due to German influence, the more nationalistic elements came into power, turning Rumania into a satellite of Hitler.

During and after World War II more than two-hundred-thousand Transylvanian Hungarians were killed, or died in the forced labor camps of Rumania. However, the tragedy of the native Hungarian population in Transylvania began with the rise of Ceausescu, the new Rumanian dictator. Ceausescu transformed the post-war Marxist regime into a national-socialist (NAZI) dictatorship by declaring at the Ninth Communist Party Congress in 1965: "Rumania is a uniform national state, its territory now occupied by one nation, which was formed by concrete historical events, and which resulted in the Rumanian Socialist Nation."

With this, the practice of government policy shifted from the Marxist-Leninist international socialism to national socialism, first introduced on this globe by Adolf Hitler, practiced later for a short time by Joseph Stalin.

Thus, the nearly five-million non-Rumanian inhabitants of the new Socialist Republic of Rumania, among them three million Hungarians, were placed officially outside the law, outside the constitution, and became foreigners, outcasts, people without rights and without a future in their own homeland.

LIST OF CRIMES

PERPETRATED BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF RUMANIA.

1. According to statistics 547 clergymen, 489 Hungarian educators, 49 Hungarian writers, poets, and artists along with more than 26,600 other Hungarian intellectuals were either executed, beaten to death, forced into suicide or died in Rumanian prisons, mental institutions or forced labor camps as a result of the government's policy to eliminate the cultural leadership of the Hungarians in Transylvania and Moldavia.
2. All Hungarian cultural establishments and institutions were either torn down or confiscated and Rumanized, including museums, archives, and libraries.
3. Hungarians were forced under strict penalty to hand over to the Rumanian authorities every picture, book, map, script, printed matter, private letter, artifact, etc., that could be found in their homes and was older than twenty years. Almost every night the Security Police performed a few "surprise raids" in the homes of unsuspecting Hungarians. They searched for hidden letters, books or anything else, and in the event they were unable to find anything they would "Plant" some old Hungarian newspaper or magazine in order to create a pretext for further harassment. Often those who were found "guilty" were beaten to death.
4. The use of the Hungarian language in public places, including in the streets, was forbidden under the penalty of beatings.
5. Hungarian schools were taken over step by step and Rumanized. The presence of two Rumanian students suffice to change the language of education from Hungarian to Rumanian, while the presence of twenty five Hungarian students are needed - without one single Rumanian - to keep the language of a class of Hungarians for the next six months. Hungarian children are beaten for

speaking their own language on any school grounds, while the few remaining Hungarian teachers are daily intimidated, arrested, tortured or sometimes beaten to death.

6. Young Hungarians are under constant pressure, being urged to deny their Hungarian heritage, change their name, and sever all contacts with their families. Those who refuse to do so are being discriminated against in every aspect of human existence, including job opportunity, housing and food tickets. Those who refuse to change their Hungarian names and take a new Rumanian identity can not participate in sports. The best example is the famous "Rumanian" gymnast, NADJA KOMANECI, who is a Hungarian girl from Transylvania born under the name of ANNA KEMENES, but in order to be allowed to compete had to change her name and deny her origin. Her trainer, Bela Karoly, is also a Hungarian, who just recently defected to the United States due to constant harassment because of his Hungarian name.

7. Hungarian inhabitants of old Hungarian cities are being moved out of their home by entire city blocks, and while they are being shipped away to distant corners of old Rumania, their homes are given to new Rumanian settlers in order to change the Hungarian character of the cities.

8. Hungarian churches are under concentrated pressure. Old historic buildings are torn down under the pretext of being "unsafe." Building permits for new churches are being refused. Parishioners are discouraged by veiled threats from attending church services. Church elders, members of the presbytery are subject to lengthy interrogations by the notorious SECURITATE, the "security police." Clergymen who go around visiting members of their congregations in their homes are often arrested and charged with "conspiracy against the state." They are often beaten, tortured or driven to suicide.

These crimes are not unknown to the world. Amnesty International in London, as well as the Human Rights Division of the United Nations pursued intensive studies concerning the treatment of the native Hungarian population by the Rumanian government.

The Congressional Records contain several testimonies and statements on the subject. On July 25, 1979, the Honorable Congressman Richard T. Schulze, Republican-Philadelphia, stated (Congressional Records, House, July 25, 1979): "The Rumanian government continues to abuse the Hungarian population. There are over 2½ million Hungarians who are being forced to assimilate themselves into the Rumanian culture. They have done away with Hungarian schools, bilingual signs, and any form of self-administration for these Hungarian people... The subcommittee received very detailed, factual, well supported evidence, confirmed also by independent Western sources, of a systematic effort to destroy a whole network of Hungarian cultural institutions, to deprive this ethnic group of its language, traditions, and cultural identity. I emphasize the elements of destruction in this process. It is the closing of the schools where children can study in their mother tongue, it is the elimination of one of Europe's oldest universities, it is the campaign of extreme ethnic, cultural, and religious intolerance which the Hungarians are protesting..." Congressman Christopher J. Dodd, Democrat - Connecticut, added: "The plight of 2½ million Hungarians in that country cannot be indifferent to us. Their condition, instead of being improved, it has worsened." Congressman Larry McDonald, Democrat-Georgia: "Rumania shamelessly continues to suppress its national minorities..." Congressman John H. Rousselot, Republican - California: "Reports indicate that the ruling regime in Rumania is attempting to systematically eliminate all facets of Hungarian culture...!"

Congressman Rousselot's prediction made in 1979 came true: Today all facets of Hungarian culture are eliminated in Transylvania, a country which was regarded sixty-five years ago as the cradle, the citadel and the standard bearer of Hungarian culture.

We quote from a letter written by an American citizen of Transylvanian descent who visited his birthplace in August, 1980, accompanied by his wife and two children: "Ten years ago Kolozsvar was still the largest Hungarian city in Transylvania. Today there are only a few thousand Hungarians left. Just one single month this year, in the month of May, thirty-thousand Rumanians were brought into the city and about twenty-thousand Hungarians were removed with nothing but a suitcase in their hands to the distant swamps of the Danube River in order to make place for new settlers. Many of the Hungarians we visited ten years ago, took their own lives, due to desperation. They were simply thrown out of their homes without compensation, without jobs, without pensions..." "Even the cemeteries have changed. When we tried to take flowers to the graves of those beloved, we could not find the gravestones. All the Hungarian gravestones were removed by the truck load, we were told. The graves of our parents and grandparents disappeared. Not even the dead seem to have the right today in Transylvania to rest in a grave with their Hungarian name on the gravestone..."

"As we traveled across Transylvania, there was not a single place where we could use the Hungarian language without being exposed to crude and threatening remarks. Those standing in line for potatoes, bread or anything else, if heard by the food distributors whispering among themselves in Hungarian, were chased away without a bite of food. The discrimination against Hungarians reached such proportions that Hitler's Germany was nothing compared to it."

"We are indeed living in a terrible world and a terrible age," the letter concludes, "in which there are plenty of institutions to care for 'endangered species', be these species birds or animals, but for endangered humans, nobody seems to care!"

The point we want to emphasize in connection with these abuses is the very fact they are committed against a minority which did not migrate voluntarily into Rumania, but was living peacefully in its own homeland as part of the majority nation, and was thrown into minority status by an act of war, over which it had no control whatsoever.

THE VOICE OF THE PEOPLE WITHIN.

In November 1980, the Socialist Federation of Hungarian Workers in Rumania sent a MEMORANDUM to the United Nations, the government of the Socialist Countries, and the Madrid Conference. We are quoting from that Memorandum:

"The experiences of six decades convinced the coexisting nationalities in Transylvania that their national existence and human rights are neither protected nor ensured within the framework of the Rumanian State. Therefore, in order that these nationalities may safeguard their ethnic heritage, and in the same time be enabled to live and work peacefully side by side, we implore the member states of the United Nations, the signatory states of the European Security Accords, and most of all the countries of the Socialist Camp:
TO ESTABLISH THE INDEPENDENT SOCIALIST REPUBLIC OF TRANSYLVANIA UNDER THE PROTECTIVE MANDATE OF THE UNITED NATIONS.

SUGGESTED ACTION.

Since it is neither within the power of this committee, nor within the present reach of the government of the United States to solve this tragic situation one way or another, we respectfully suggest that this committee, in order to show the oppressed peoples of Transylvania that the United States of America is still the Champion of Freedom which does not condone oppression and the persecution of minorities,

TERMINATE THE PREFERRED NATION STATUS

OF

THE SOCIALIST REPUBLIC OF RUMANIA,

with the understanding that this status shall not be granted again until the Rumanian government can prove to a mixed commission visiting Transylvania that the abominable persecution of the Hungarian and other national minorities has ceased, and the following conditions are met:

1. The Hungarian language is recognized in Transylvania as second official language.
2. The Hungarian Autonomous Region is re-established under strictly Hungarian administration.
3. The old Hungarian educational institutions are re-established.
4. The confiscated museums, libraries and archives are returned to the re-established Hungarian cultural and church related organizations.
5. Old Hungarian cemeteries are returned under the care of the Hungarian churches.
6. Those Hungarians who were deported from their native towns or villages, or left their homes under duress, are allowed to return. Rumanians who were re-settled into Hungarian towns and villages with the purpose of

diluting the Hungarian character of the area or filling the better paying jobs at the expense of the native Hungarian population, are returned to their own provinces.

7. All signs and markers in Hungarian populated cities, towns and villages are again bi-lingual.
8. Equalopportunity is established in every field of human existence.
9. All harassments and intimidations in relation to nationality are terminated.
10. The sixteenth century shrine in Torda, the very building in which the elected representatives of the three Transylvanian nations declared for the first time in this world, man's inalienable right to the free exercise of his religious belief, is restored again to show the human race that men of different tongues and different beliefs, if motivated by good will and understanding can bring our world forward in one accord and in the right direction!

We sincerely feel that it is our moral obligation to insist that governments desiring friendly relations with us, abide by the same rules of ethics as we do. We are certain that the government of the Socialist Republic of Rumania as well as the people of that country would greatly benefit from a more harmonious and therefore more productive co-existence of all nationalties which call that country their homeland.

Respectfully submitted:

Albert Wass de Czega
President

Dr. John Nadas
General secretary

(Mrs.) Ilona Boissenin
Washington representative
Ilona Boissenin

TESTIMONY OF ILYA LEKUCH
BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL TRADE
OF
THE SENATE COMMITTEE ON FINANCE
ON
THE PRESIDENT'S REQUEST TO
EXTEND WAIVER AUTHORITY
FOR
MOST FAVORED NATION STATUS FOR ROMANIA

JULY 27, 1981

Good Day. I am Ilya LeKuch, Senior Vice President of WJS/Moody International Corporation.

WJS/Moody International is an accredited, American export and import representative organization maintaining a full time operational office in Bucharest, Romania with nine employees. We first started to conduct business in Romania in 1965. We have also been active in The People's Republic of China since 1972.

My remarks today are directed towards extending the Most Favored Nation Status waiver for Romania. I also support an extension for China and Hungary as well.

In Romania, WJS/Moody International Corporation represents the interests of over 20 American companies. We promote the sale of their equipment and technology to various endusers in Romania. We also purchase, from Romania, oilfield equipment which is in short supply in the United States.

Over the past two and a half years, starting January 1, 1979, I have personally spent approximately 15 months in Romania negotiating business transactions between our company and various Romanian Foreign Trade Organizations. Most of the contracts signed today, between American companies and Romanian Foreign Trade Organizations, have a stipulation of counter-purchase obligations. This means that an American company selling equipment, technology and/or products to

Romania must in turn purchase equipment from Romania as partial payment for their sale. Normally, counter-purchase items are classified as products manufactured by The Ministry of Machine Tool Building Industry. Under these circumstances, the failure to extend Most Favored Nation Status for Romania would have a significant negative impact on the overall trade between the United States and the Socialist Republic of Romania because it would result in higher tariffs for Romanian goods.

I sincerely believe that Romania wishes to purchase goods from the United States. They trust American equipment and technology. The Romanian people are very friendly to all Americans, and Romanian officials in the business and political sectors in Romania refer to Americans as long term friends.

World peace and stability are other important factors which justify the extension of Most Favored Nation Status for Romania: Romania plays a significant role as a world mediator and conducts a foreign policy independent of other Eastern European block countries.

WJS/Moody International is presently discussing many large long-term projects in Romania in the fields of agriculture, instrumentation, oil and gas and other areas. We feel that many of these projects will come to a successful conclusion but their success will depend on Romania having Most Favored Nation Status and the ability to sell some selected Romanian products in the U.S. market.

FROM:
Mrs ELISABETH VOITCU
(Maiden Name-ELISABETH GEORGESCU)
60 COOPER St # 5 A
NEW- YORK, N.Y. 10034
Phone(212) 569-7868
U.S.. CITIZEN

STATEMENT OF Mrs ELISABETH VOITCU
BEFORE
U.S. SENATE COMMITTEE ON INTERNATIONAL TRADE

HONORABLE CHAIRMAN, HONORABLE SENATORS,

****

I am ELISABETH VOITCU(Maiden Name ELUSABETH GEORGESCU)ROMANIAN born, arrived in the USA to my husband's parents for our FORCED SEPARATED FAMILY REUNION on JUNE 1970, and then naturalised as U.S.CITIZEN.
Unfortunately, when I succeded to left COMMUNIST ROMANIA with a legal passport for the USA issued by COMMUNIST ROMANIA's GOVERNMENT, I was forced to left behind, as HOSTAGES:
1,-STELIANA BOGDAN(Maiden Name GEORGESCU)born on 10,20,37,-sister
2,- MIRCEA BOGDAN, born on 1929,- her husband
Residing at:Strada NICOLAE SEBE Nr 1,Bloc W 2, Apt 114,Sector 3, BUCURESTI.
Shortly after my self and my husband emigrated LEGALY to the USA, the SECURITY,-COMMUNIST PARTY's SECRET POLICE of USSR's KGB type,- started the harassement against them:
Both of them are engineers, BUT NONE OF THEM ARE COMMUNIST PARTY's MEMBER.
The first harassement was to force them to join THE PARTY. THEY REFUSED FERMLY!
My brother in law, a devoted engineer was CHIEF ENGINEER, was removed steps down from his professional rank, finaly becaming a simple engineer...

They were forced to submit to "PERSONEL DEPARTMENT" each single letter which I sent to them from USA and to report too all phone calls from USA!...

THIS IS THE SPECIAL TYPE OF NICOALE CEAUSESCU's SECURITY's HARASSEMENT AGAINST RELATIVES OF US.CITIZENS AND RESIDENTS. THE ONE STARTED in 1975 WHEN " THE MOST FAVORED NATION's CLAUSE" WAS GRANTED FIRST TIME TO COMMUNIST ROMANIA!...

-ON APRIL 1980 my brother and his wife applied for EMIGRATION . THEY RECEIVED THE SO CALLED" BUTTERFLIES"- a kind of PETITION FOR APPLICATION FOR EMIGRATION., invented too after COMMUNIST ROMANIA WAS GRANTED WITH " M.F.N." BY U.S. CONGRESS.

I HAVE TO POINT OUT THAT DESPITE THE FACT THAT THE ROMANIAN TERRORIST PRESIDENT NICOLAE CEAUSESCU COMMITTED HIM SELF TO THE U.S.A. TO MAKE EASY THE EMIGRATION FORFAMILIES REUNIFICATION, AFTER HE WAS GRANTED WITH " M.F.N" BY U.S.A. CONGRESS, EACH YEAR HE INVENTED NEW ~~AND~~ NEW RULES AND REGULATIONS A LOTS OF APPLICATIONS TO BE FILLED UP BY WOULD BE EMIGRANTS.

SINCE in 1965 THERE WAS ONLY AN APPLICATION FOR, TODAY ARE : " THE BUTTERFLIES", THE PRE-APPLICATION" " THE APPLICATION"!... AND A LOT OF PARTY's COMMISSIONS TO PASS BY. AND THERE IS A TIME OF SEVERAL MONTHS FROM A STEP TO ANOTHER!...

- OF COURSE THAT MY HOSTAGE RELATIVES , HAD TO PASS BY ALL THIS NEW RULES AND REGULATIONS.

BUT TO DATE ALL WHAT THEY HAVE ARE: 7REJECTIONS. THE LAST ONE IS OF JULY 1981.

MORE THAN THAT THERE IS THE FACT THAT MY BROTHER FROM HIS JOB ON JANUARY 14,1981 BEING IN DANGER TO BE ARRESTED ANY MOMENT AND CHARGE WITH " PARASITISM":...

- I JOINED " THE TWELVETH ROMANIAN HUNGER STRIKE AGAINST TERRORIST PRESIDENT NICOLAE CEAUSESCU" and for: FORCED SEPARATED FAMILIES REUNIFICATION IN THE USA AND HUMAN RIGHTS IN COMMUNIST ROMANIA" in BEHALF OF MY HOSTAGE SISTER AND BROTHER IN LAW.

I APPEAL TO THE US SENATE TO PERSUADE THE TERROERIT PRESIDENT NICOLAE CEAUSESCU TO RESPECT HIS INTERNATIONAL COMMITTEMENTS IN MATTER OF " HUMAN RIGHTS" AND TO GRANT IMMEDIATELY THE EXIT VISAS TO MY HOSTAGE SISTER AND HER HUSBAND.

-I ASK THAT DO NOT GRANT ANYMORE THE " M.F.N" TO COMMUNIST ROMANIA UNTIL " THE TEN POINTS" OF HUNGER STRIKERS WILL BE ACCOMPLISHED AND UNTIL NICOLAE CEAUSESCU WILL STOP THE STALINIST TERROR AGAINST RELATIVES OF U.S. CITIZENS AND U.S. RESIDENTS LIVING OVER THERE AND WOUL BE EMIGRANTS IN ORDER TO REUNIFY THEIR FORCED SEPARATED FAMILIES!

ELISABETH VOITCU

CONSILIUL NATIONAL ROMAN

ROMANIAN NATIONAL COUNCIL

NORD AMERICA SECTION

SECTIUNEA AMERICA DE NORD

A NON-PROFIT ORGANIZATION -Reg.Book 088 Page 623/1978,N.J.

THE EXECUTIVE BUREAU
President:Dr.Alexandru Bratu
25-40 30th Road (4D),L.I.C.
Astoria,NEW YORK,N.Y.11102
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HEADQUARTERS
290 River Road,Bogota,
NEW JERSEY ,N.J.07603

July 27,1981

Mr.ROBERT LIGHTHIZER,Chief Counsel
UNITED STATES SENATE
Committee on Finance,
Room 2227 Dirksen Senate Office Building,
Washington,D.C. 20510

Dear Mr .Robert E.Lighthizer :

Receiving your mailgram from 07-22-1981 about my request to testify a t the M.F.N. hearing on July 27,1981,I enclosed now my "Statement" of refusal of status of M.F.N. treatment to the "Socialist Republic of Romania "(SRR) for a long period of time ,by the reasons of the disrespect of the elementary human rights for Romanian people.

The totalitarian regime in Romania is still,and by far,the most important beneficiary.In the same time the Romanian people is suffering of freedom from fear with all consequences of the most centralized, bureaucratic and corrupt command economy.

The acceptance without control of the respect of the elementary human rights of the said agreement will make U.S.A. responsible for the assistance of the totalitarian political regime imposed by force of the Red Soviet Army to govern Romania.

The Romanian people will not profit of the advantages of this Status.

Please submit my Statement to the Subcommittee on Trade of the Committee on Finance in order to be included in the record of the Hearing.

Your respectfully,

Dr.Alex Bratu

Dr.Alexandru Bratu

Enclosure: Ten copies of Statement.

news naca

Contact:

Carl J. Suchocki
(202) 296-1585

National
Agricultural
Chemicals
Association
1155 Fifteenth Street, N.W.
Washington, D.C. 20005
202-296-1585

FOR IMMEDIATE RELEASE

PATENT PROTECTION KEY TO U.S. TRADE AGREEMENTS, NACA SAYS

WASHINGTON, D. C., July 27, 1981--The National Agricultural Chemicals Association today gave "qualified" approval for the continuation of U. S. trade agreements with the Peoples Republic of China and the Soviet Bloc countries of Romania and Hungary.

Nicholas L. Reding, of Monsanto Company and NACA Chairman of the Board of Directors, and NACA President Jack D. Early, recommended, however, that the extension of "most favored nations" status be contingent on continued progress in adequately protecting the pesticide industry's property rights in those countries.

"The agricultural chemicals industry is among the few American high technology industries where we still have a clear lead over foreign competition," Mr. Reding testified before the Senate Finance Subcommittee on International Trade. "Our ability to continue to invest substantial amounts in research and development is almost totally dependent on respect for our industrial property rights."

Mr. Reding recommended that efforts be intensified by U. S. trade officials to reach an adequate patent protection agreement with Hungary. He also told the panel that a new patent law in Romania was being completed and recommended that this development be monitored by the U. S. Departments of Commerce and State.

NR-81-19

-more-

Mr. Reding endorsed "most favored nations" status with the Peoples Republic of China based on a provision in the trade agreement which calls for the adoption of a patent system "substantially equivalent" to the protection provided under U. S. law.

NACA is a non-profit, Washington-based trade organization whose 115 member companies make or formulate virtually all the crop protection chemicals used in the United States and a large percentage used abroad.

COMMITTEE OF TRANSYLVANIA, INC. (ERDÉLYI BIZOTTSÁG.) Founded 1956

LOUIS L. LÖTE, PRESIDENT
216 Yarmouth Rd.
Rochester, N.Y. 14610

Central Office:
2877East 112th Street
Cleveland, Ohio 44104

July 27,1981

Mr.Chairman:

In considering whether the Socialist Republic of Rumania should enjoy the benefits of most-favored-nation tariff status for another year, as a background, I would like to bring up briefly two seemingly unrelated topics: foreign policy and national minorities.

Nothing but the interest of our country should be the guiding light for decisions of international scope. But because national interest is a broad and complex concept which, in many cases, may not be recognized properly and unanimously, there is ample space for different interpretations. In building good relations with a communist country, for instance, it may be questioned how far our foreign policy should ignore violations by that country against covenants and principles of individual freedom, human rights, freedom of press, freedom of dissent, due process, human dignity and the likes.

Rumania denies these rights to her citizens. Rumania has been holding to an utterly rigid, Stalinist-type of communist system which has never attempted any degree of liberalization or humanization. The irrefutable fact is, that - among all communist countries - Rumania stands out as the most faithful follower of the Soviet ideal of repression of her peoples and central economic structure.

Our foreign policy seems to disregard this fact and took up a pro-Rumanian course in the last few years on the ground of that country's alleged independent minded foreign policy which, in some instances, does not seem to follow the political line of the Soviet Union.

President Ceausescu, in his person, actslike a medieval tyrant, practices a fascist-like, suppressive, one-man rule concentrating all the powers of the state in his own and hisfamily's hands.

Besides coercing people into a voiceless mass and clamping down on any degree of dissent as crime against the state, the Rumanian system is not able to provide adequately for the material nedds of the population. Inspite of her rich material resources Rumania has the lowest standard of living in the communist block of countries.

Clearly, it seems to me that friendship with the Rumanian communist regime bears some degree of moral risk.

The second topic, I would like to touch on is the problem of national minorities. This question has gained in the last few years increased significance for at least three basic reasons. One is the official tendency to ignore the plight of national minorities in the country where they live, frequently as indigenous inhabitant. Another reason roots in the will of national minorities to preserve their national identity. This is a very natural phenomenon supported by inalienable, natural human right. The third reason that makes preservation of national identity difficult is the almost complete lack of international laws and guidelines for the protection of national minorities against discrimanation by the government. In that aspect the former League of Nations assured more recognition and help than the United Nations do now more than 40 years later.

Rumania has many national minorities since Transylvania and other formerly Hungarian territories were annexed to Rumania in the peace-treaty of Trianon 60 years ago. The two largest ones, the indigenous Hungarians (est.2.5 millions) and the Germans (est.450,000) resettled there by the Hungarian kings many hundred years ago, of course, desperately want to preserve their mother-language, culture and national identity and try to resist against the consistent, overt and covert, forcible Rumanianization efforts. There is no difference between Hungarians living in Transylvania and in Hungary proper. They are part and parcel of the same and only Hungarian nation which had settled in the Carpathian-Middle Danube Basin including Transylvania, more than a thousand years ago. The Hungarian language has been spoken for 2500 years, and the earliest written document in Hungarian, which is kept in one of the main archives of Hungary, goes back to the 12th century. The life of this language is now in mortal danger in Rumania first time in that many years.

The Ceausescu regime is against the national minorities. In the last 15 years the Rumanian minority policies have been clearly aimed at the fast absorption of the non-Rumanian minorities of the country.

When I respectfully urge this Subcommittee to consider suppression of national minorities in Rumania before deciding extension of the MFN statues for that country, again and again I state my conviction that our governement and no one else is in the position to act on behalf of the abandoned Hungarians of Rumania.

Recently we received an open letter smuggled out of Transylvania written by "The Intre-County Workers' Committee for the Realization of a Transylvanian Hungarian Television." The committee urges the Rumanian and Hungarian government to build three television relay towers in Transylvania which would make reception of Hungarian television program from Budapest for hundreds of thousands of Hungarian homes possible. The Television Committee sees this as the last straw to cling to before the Rumanianization policy could succeed in annihilating the Hungarian nation in Rumania.

I regard this request as a realistic, concrete and modest desire which - if implemented - would be a major single achievement on the road toward more cultural freedom for Transylvanian Hungarians. Unfortunately, however, those television towers are not likely to be constructed because the penetration of Hungarian language into Hungarian homes might stand in the way of Mr.Ceausescu's Rumanianization policy, and because Mr. Kadar most likely will not engage himself for Transylvanian Hungarians.

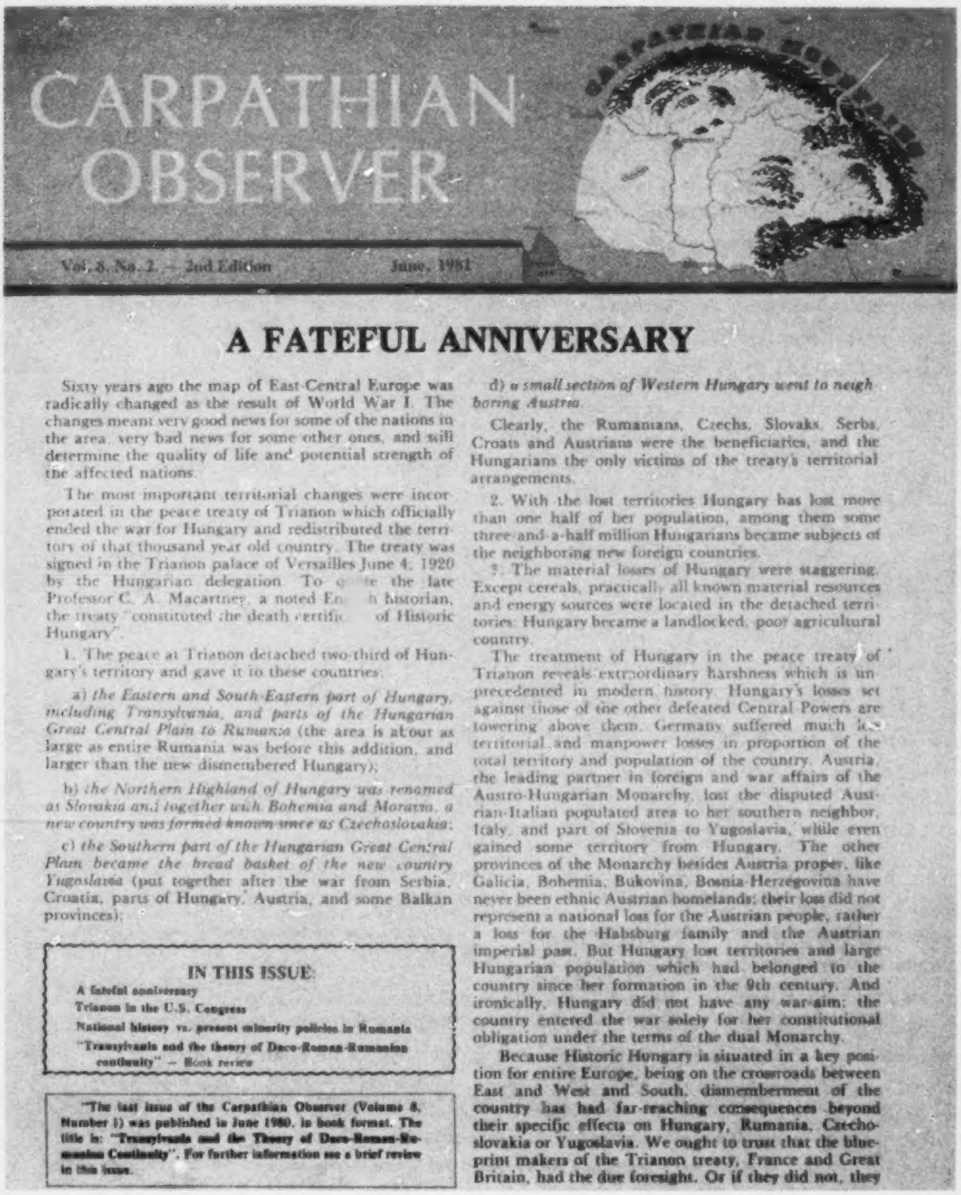
But if the United States wants to make her influence felt, the three television relay stations may be a reality.

Te people of Hungary have always had affection for the American people since the time of the Revolution. The first (and may be the only) sculpture of George Washington ever erected in Europe stands in Budapest as a symbol of this affection. Hungarian contributions to the cultural and scientific development of the United States are unproportionately rich and manifold.

Yet I ask for help not by virtue of Hungarian-American achievements but for the gravity of need. Four million Hungarians live now in the neighboring countries as a result of an ineqitable peace treaty 60 years ago and another one in 1947 which confirmed the earlier treaty. No provisions for the protection of national minorities were included in the 1947 Paris treaty to which the United States was a signatory. American help to Transylvanian Hungarians would correct that grave omission. It would also be a shining symbol of American fair-mindedness.

In conclusion I respectfully request this single act of help for implementing reception of Budapest television by 2.5 million Hungarians in Rumania who are now deprived from viewing and hearing their own national broadcasts in their own national language. Expecting that this help - by whatever means including quiet diplomacy - will be forthcoming, I am not taking position in the matter of the MFN status for Rumania.

Sincerely yours,
Louis L. Lote
Louis L. Lote


CARPATHIAN MOUNTAINS

CARPATHIAN
OBSERVER

Vol. 8. No. 2. — 2nd Edition June, 1981

A FATEFUL ANNIVERSARY

Sixty years ago the map of East-Central Europe was radically changed as the result of World War I. The changes meant very good news for some of the nations in the area, very bad news for some other ones, and still determine the quality of life and potential strength of the affected nations.

The most important territorial changes were incorporated in the peace treaty of Trianon which officially ended the war for Hungary and redistributed the territory of that thousand year old country. The treaty was signed in the Trianon palace of Versailles June 4, 1920 by the Hungarian delegation. To quote the late Professor C. A. Macartney, a noted English historian, the treaty "constituted the death certificate of Historic Hungary".

1. The peace at Trianon detached two-third of Hungary's territory and gave it to these countries:

a) *the Eastern and South-Eastern part of Hungary, including Transylvania, and parts of the Hungarian Great Central Plain to Rumania* (the area is about as large as entire Rumania was before this addition, and larger than the new dismembered Hungary);

b) *the Northern Highland of Hungary was renamed as Slovakia and together with Bohemia and Moravia, a new country was formed known since as Czechoslovakia;*

c) *the Southern part of the Hungarian Great Central Plain became the bread basket of the new country Yugoslavia* (put together after the war from Serbia, Croatia, parts of Hungary, Austria, and some Balkan provinces);

d) *a small section of Western Hungary went to neighboring Austria.*

Clearly, the Rumanians, Czechs, Slovaks, Serbs, Croats and Austrians were the beneficiaries, and the Hungarians the only victims of the treaty's territorial arrangements.

2. With the lost territories Hungary has lost more than one half of her population, among them some three-and-a-half million Hungarians became subjects of the neighboring new foreign countries.

3. The material losses of Hungary were staggering. Except cereals, practically all known material resources and energy sources were located in the detached territories: Hungary became a landlocked, poor agricultural country.

The treatment of Hungary in the peace treaty of Trianon reveals extraordinary harshness which is unprecedented in modern history. Hungary's losses set against those of the other defeated Central Powers are towering above them. Germany suffered much less territorial and manpower losses in proportion of the total territory and population of the country. Austria, the leading partner in foreign and war affairs of the Austro-Hungarian Monarchy, lost the disputed Austrian-Italian populated area to her southern neighbor, Italy, and part of Slovenia to Yugoslaria, while even gained some territory from Hungary. The other provinces of the Monarchy besides Austria proper, like Galicia, Bohemia, Bukovina, Bosnia-Herzegovina have never been ethnic Austrian homelands; their loss did not represent a national loss for the Austrian people, rather a loss for the Habsburg family and the Austrian imperial past. But Hungary lost territories and large Hungarian population which had belonged to the country since her formation in the 9th century. And ironically, Hungary did not have any war-aim; the country entered the war solely for her constitutional obligation under the terms of the dual Monarchy.

Because Historic Hungary is situated in a key position for entire Europe, being on the crossroads between East and West and South, dismemberment of the country has had far-reaching consequences beyond their specific effects on Hungary, Rumania, Czechoslovakia or Yugoslavia. We ought to trust that the blueprint makers of the Trianon treaty, France and Great Britain, had the due foresight. Or if they did not, they

IN THIS ISSUE:

A fateful anniversary
Trianon in the U.S. Congress
National history vs. present minority policies in Rumania
"Transylvania and the theory of Daco-Roman-Rumanian continuity" — Book review

"The last issue of the Carpathian Observer (Volume 8, Number 1) was published in June 1980, in book format. The title is: "Transylvania and the Theory of Daco-Roman-Rumanian Continuity". For further information see a brief review in this issue.

had reasons and principles that had seemed good and sound at the time of the treaty.

Let us briefly examine the principles that may be underlying causes of territorial changes:

RIGHT FOR NATIONAL SELF-DETERMINATION

was one of the leading ideas at that time, associated with the name of President Woodrow Wilson. The Trianon treaty fully recognized this right for Rumanians and Slovaks in so far as it detached territories from Hungary where they were in majority. But the treaty totally disregarded the rights of Hungarians and Ruthenians. Further large parts of the Great Central Hungarian Plain was given to Serbia in spite of their being only a 33% minority in those areas.

To illustrate the selectiveness in observing the right for national self-determination, the Trianon treaty united 99% of all Rumanians in new, enlarged Rumania, 95% of all Serbs and 98% of all Croats in new Yugoslavia, 92% of all Slovaks and 100% of all Czechs in new Czechoslovakia. But only 68% of all Hungarians were allowed to live in new, dismembered Hungary; 32 out of 100 Hungarians were detached from the bulk of the nation and placed under foreign rule, as a result of the newly drawn boundaries.

The numerical relations of ruling nations and national minorities 60 years after the peace treaty are shown in the chart below:

Nations and Countries[1] in the Carpathian Basin and the surrounding lands

(estimated in millions)

Nations		Total strength	Rank by size	Countries	Total population	Rank by population	Total minorities	Hungarian minorities	Other minorities	
Rumanian		18.9	1.	Rumania	22.1	1.	3.2	2.5	German, Ukrainian, Bulgar, Serb, etc.	.7
Hungarian		**14.7**	**2.**	**Hungary**	**10.8**	**4.**	.1	—	German, Serb, Slovak	.1
Serbian	9.2	14.4	4.	Yugoslavia	22.0	2.	7.6	.5	Slovenian, German, Albanian, Bosnian, Macedonian, etc.	7.1
Croatian	5.2		5.							
Czech	9.7	14.2	3.	Czechoslovakia	15.2	3.	1.0	.8	German, Ukrainian, Polish	.2
Slovakian	4.5		6.							
Total of major nations		62.2		Totals	70.1		11.9	3.8		8.1
Others (slovenian, ruthenian, german, Balkan nations)		8.7		Ruthenia (as part of USSR)	.8		.8	.2	Ruthenian	.6
Grand total		70.9[2]		Grand totals	70.9[2]		12.7	4.0		8.7

From the chart it is clear that the Hungarians were given an extremely inequitable deal in the peace treaty. As a result, only 10.7 million Hungarians out of a total of some 14.7 millions are inhabitants of Hungary, while some 4 millions live as a national minority in neighboring foreign countries, though in their and their ancestors' native homeland.

The right for self-determination was violated the most crassly of those Hungarians who live in overwhelming majority right over the borders of dismembered Hungary in contiguous Hungarian populated areas, in the southern part of Slovakia and in the western part of today Rumania. These one-and-a-half million Hungarians became simply separated from their 7 million fellow Hungarians by the newly drawn borders. Clearly, neither self-determination, nor majority principle were employed in excluding them from the new small Hungary and placing them under foreign rules.

Some half-a-million Ruthenians and 200,000 Hungarians living in the North-Eastern Highland of Hungary were transferred with their homeland to Czechoslovakia without any good reason; neither Czechs, nor Slovaks lived in the region. When in 1945 the Soviet Union claimed this territory, the Czechoslovakian government immediately obliged and ceded the land (to which she has never had any title), to the Soviets.

All these radical border changes were decided in the name of the propagator of self-determination, President Wilson who, however, has never wanted the destruction of the Austro-Hungarian Monarchy; he merely advocated broad autonomy for the non-Hungarian and non-Austrian population of the country.

HISTORICAL RIGHTS

are important factors in preserving a country's territorial integrity anywhere. The principle of "status quo ante" often was the guiding light in international relations. In considering historical rights, the 1000 years solid, unbroken existence of Hungary could have warranted the preservation of the country's territorial integrity. But it did not. Alleged Rumanian antecedence in Transylvania does not stand up to the firm reality of ten centuries Hungarian statehood. Here and there remnants of Slavic peoples attached to Avar tribes had lived in the Carpathian Basin at the time of the Hungarian contest in the 9th century, but without any solid statelike organization. While Serbian migration into Hungary started first in the 15th century when Serbian refugees from the Ottoman invasion asked for admission by Hungary.

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[1] In our opinion "nation" and "country" are two different concepts; "nation" are the peoples with the same language, culture and history, while "country" is the land with internationally recognized sovereignty where one or more nations live. For instance, Rumania is a "country," but "Rumanians, Hungarians, Germans, etc." are the nations which inhabit Rumania. It is in this sense that we use the concept of "nation" in this essay.

[2] No attempt was made to estimate and include in this chart those living abroad, in many parts of the free world.

ECONOMIC AND GEOGRAPHIC CONSIDERATIONS

are definitely against the partition of the Carpathian Basin, which is one of the most perfect geographic units on earth and is identical to the original territory of Hungary (see map on head band). In his book, "Hungary", Prof. Macartney writes: "Many writers, not Hungarians alone, have dilated on the "natural unity" of the Middle Danube Basin (or Carpathian Basin. Ed.), which became Hungary. The parts of it seem, indeed, designed by nature to form one harmonious whole. Through the heart of it the great river itself runs a course of nearly 600 miles, most of it through flat or flattish lands which form an oval plain, about 100,000 square miles in extent, 400 miles at its greatest width from west to east, 300 from north to south. This plain is surrounded by a ring of mountains, whose alleys converge on the central plain; of the rivers of Historic Hungary, only one flows north, to join the Vistula; one, like the Danube itself, cuts its own way through the Transylvanian Alps; all the rest join the Danube on its central course. The mountains, which in the north and east form an almost continous wall, rarely broken, with the dense forests which up to recent times covered their slopes, form a natural defence for the plain, especially towards the east. The products of plain and mountain are mutually complementary, linking their inhabitants in a natural community of destiny."

GEOPOLITICAL AND STRATEGIC VALUE

of the Carpathian Basin is eminent by two factors: the peculiar location on the crossroads between Eastern and Western Europe, and the excellently defendable, natural borders, the Carpathian Mountain Chains. These mountains had been the frontiers of Hungary for ten centuries, longer than any other borders in Europe, and served well in holding up onslaughts from the East. The failure of the great Russian offensive against the Austro-Hungarian forces in the Northeastern Carpathians in 1914-15 is a classic example to the defensive value of the mountainous borders of historic Hungary. The success of the Soviet offensive in World War II, in 1944 against Rumania on the other hand, is a good example how Hungary and its neighbors became defenceless after the Eastern and Southern Carpathian Mountains were made to run through the center of Rumania and thus their historical role of protecting the Basin behind them could not be fulfilled any more.

But more likely none of these principles were thought of when the new borders in the Carpathian Basin were drawn. Some much less idealistic considerations emerge as the dominant guiding principles: such as the destruction of the Austro-Hungarian Monarchy in order to eliminate that power structure from the future Europe, the obligation of the European Allied Powers to pay the agreed reward (Transylvania) to Rumania for changing side in the middle of the war, the radical reduction of Austrian (German) and Hungarian influence and corresponding promotion of the power of the Rumanian and Slavic nations in the area, and, last but not least, the punishment of the defeated Central Powers.

The history of the last 60 years attests to it that these objectives have been carried out effectively. Whether they have served security, peace, harmony, and prosperity of the area, it is a different matter. Just one good look on the map and the pre-and post-World War II history of Europe tells us that the complete dissolution of the Monarchy created a dangerous power vacuum in that part of Europe.

In less than two decades, the fragmentation of East-Central Europe in the Trianon peace proved to be a catastrophic deed. It threw the gates open first for Hitler to dominate the small and to each other hostile states diplomatically, then militarily. Later the broken gate gave the Soviets easy access into the Carpathian Basin and ultimately deep into Europe. The dismemberment of Historic Hungary, and the failure to create an as good or better state structure than the Monarchy had been, led to the present division of Europe, and, indeed, the world. The responsibility for it burdens clearly the European big powers and their leading statesmen who made the blueprint for the peace treaty.

To make things worse England and France helped to organize the so called "Little Entente" with the sole purpose of keeping little Hungary under control. What a formidable shortrightedness: to organize some 50 million peoples in defence from 7 million, and to ignore the real potential danger presented by the 66 million strong subdued German nation and 166 million bolshevik led Soviet peoples.

CONCERN FOR NATIONAL MINORITIES

should be always an important and legitimate motivation of leading powers. It may have been it at the peace treaty of Trianon, but—as we pointed out before—the concern of France and Great Britain was utterly selective. While they united all the Rumanians in Rumania, Slovaks in Czechoslovakia, and Serbs and Croats in Yugoslavia, the treaty makers forced 3.5 million Hungarians in minority status. Suppression of minority Hungarians started immediately after the transfer, 60 years ago. It climaxed in Czechoslovakia in 1946/47 when Hungarians were deported in the inside of the country with unimaginable barbarism. Suppression of Hungarians in Transylvania under the present Ceausescu regime is being characterized as cultural genocide.While in Yugoslavia under the protective umbrella of the multi-national structure of the country Hungarians do fare somewhat better than their brethren in the two other countries.

Allied statesmen were exposed, prior to the peace conference to many misrepresentations of the facts about Hungary. The propaganda effort of the Czech and Rumanian emigrations was extremely successful in convincing the victorious European Allied Powers that the Monarchy has to be destroyed and Hungary dismembered. Eduard Benes, the Czech engineer of the destruction, for instance, alleged that only some 200,000 Hungarians live in the territory of future Slovakia. Actually there were five times as many. But the figure of Benes was accepted as truth and the real fact ignored. Thomas Masaryk, the first president of Czechoslovakia writes in his political memoirs, "The Making of the State," that "the Allies knew less than we about Austria-Hungary, and they were totally unacquainted with the complicated racial and economic conditions in Eastern Europe." "...we supplied the Allies with a political programme." "We gave them programmes for the liberation of other peoples and for the reconstruction of Europe as a whole. Of this, proof may be found in my work "The New Europe" which was handed in French and English to all the Allied delegates to the Peace Conferences at the end of the war." "Even among the masses of the Allied peoples"—Masaryk goes on—"our four years' propaganda spread these truths and drove them home."

Apparently none of the Allied statesmen had any doubt in his mind about "these truths" and the impartiality of Masaryk who promoted the idea of independent Czechoslovakia to be built on the ruins of the Austro-Hungarian Monarchy. Whereas no Hungarian delegation was allowed to participate at the peace conference; it was summoned to Versailles only to sign the treaty under threat of severe sanctions against that agonizing country.

The governments of France and Great Britain treated Hungary with prejudice, and ill-will, without any sense of fairness and impartiality. Even the technical arrangements for the redrawing of the borders were made with a major flaw; they established border committees for Rumania, Czechoslovakia, Yugoslavia which tried to satisfy the unsatiable appetite of those nations, while there was no Hungarian border committee formed. The result was that the three nations cut out for themselves as much as they could from the Hungarian pie, and the left-over became the country which is known today as Hungary. In the mean time Bratianu, the Rumanian prime-minister, deftly changing side three times during the war and bringing Rumania in on the winning side, grabbed at the conference table as much Hungarian land as he could bargain for.

And out on the field the job of redrawing boundaries went on. Robert Lansing, United States representative, later Secretary of State, observed that whenever a problem arose with the new frontiers, the decision always was brought against Hungary.

In conclusion the Trianon peace treaty was a grandiose mistake not only because it is utterly unjust, unfair and inequitable but also because it destroyed the balance of power in Europe; it contributed significantly *first to the German, then the Soviet domination of a large part of Europe, and the unfortunate division of the continent*. No wonder that some prominent statesmen expressed the same opinion. In the words of Anthony Eden: "The disapperance of the Austro-Hungarian Empire has proved to be one of the major calamities for the peace of Europe." And it was a "cardinal tragedy", according to Winston Churchill. An American student of international affairs characterized it "as the most important purely political occurence since the fall of the Western Roman Empire in 476 A.D."

The spirit of the peace making was also denounced by one of the makers, British Premier, Lloyd George when he stated later with respect to the Trianon peace treaty that "all documentations furnished to us by certain Allies were mandatious and falsified, we have decided on the basis of falsifications." Or, as Harold Nicolson participating at the peace conference as secretary of the British Peace Delegation in Paris, writes in his book, "Peacemaking 1919": "We arrived determined that a peace of justice and wisdom should be negotiated: we left conscious that the treaties imposed upon our enemies were neither just nor wise..."

It may be difficult to find many Romanian, Czech, Slovak, Serb peoples who would denounce the Trianon peace treaty. On the other hand, we do not have any doubt that Hungarians still feel bitter for Trianon. Rumanians cheerfully celebrated this anniversary of the lucky landgrab, at least abroad, including the United States (Carpathian Observer, Vol. 6, No. 2), while official Hungary was mum about it. (Not so the free Hungarians who had mournful celebrations all over the world.) Rumanians seem to feel still uncertain about the possession of Transylvania; and do everything (propagandistic celebrations, manipulating history etc.) to strengthen their title to the land.

The homeland belongs to everybody who lives and whose ancestors had lived there from generations to generations, not only to the nations which—through a radical turn of history—became the ruling ones.

With total supremacy of the victors, and the vanquished ones being at their mercy, it was easier to make the mistake than to correct it. But it is time to realize by every nations of the area, winners and loosers, that the rearrangement in Trianon has not served their real peace and security, harmony and fruitful co-operation. If and when the historical chance comes to it, the Carpathian Basin and the surrounding land should be made the true homeland for all who live there. Austrians, Croats, Czechs, Hungarians, Rumanians, Ruthenians, Serbs and Slovaks must establish an era of mutual respect, equality, recognition and understanding of each other's problems; an era in which, on some suitable way, even with the demolishing of the boundaries, each nation has equal right to freely develop its culture, use its native language, enjoy peace and security, and employ, as an economic and political unit, the natural resources of the land for the benefit of all; an era, in which no nation has to have, as the Hungarians have now, one out of three of its members in a neighboring country under repressive rule.

To help achieve this noble, useful and just goal all the signatory governments of the Trianon and the 1947 Paris peace treaty with Hungary will be most welcome but the nations actually affected should create the atmosphere conducive to a reasonable, practical and equitable reintegration of the area.

Louis L. Lote

President,
Committee of Transylvania, Inc.

The 60th anniversary of the Peace Treaty of Trianon in the U.S. Congress

The anniversary was memorialized in the Congress by numerous legislators. Here we reprint excerpts of the speeches of Senator Dole, Representatives Addabbo, Ritter and Dougherty, as they appear in the Congressional Record.

Senator ROBERT J. DOLE

"Today is the 60th anniversary of the Peace Treaty of Trianon that divided the kingdom of Hungary into four parts leaving only about 30 percent of her territory and about one-third of her inhabitants to the Hungarian state. It is remembered somberly by Hungarians around the world and also by the American Hungarian community."

"The results of the treaty were ultimately unfavorable to European security. The ensuing conflicts about the treatment of national minorities by the new multinational small states contributed to Hitler's success in the region and the outbreak of World War II. After the Second World War, Stalin made use of the nationality conflicts as a means to secure the adoption of Communist regimes in the region. That status quo still exists today.

Nationality problems remain

Unfortunately, so do the nationality problems. The Helsinki Declaration, although defining human rights and group rights in more meaningful terms, has yet to alleviate the problem of free movement and minority rights for Hungarians.

Hungary is presently under control of an atheistic Communist regime whose interest is to destroy constitunional principles and the historical traditions of the Hungarian people. Self-determination is present in the Communist lexicon only under "irony."

"It is the obligation of the United States to take every initiative to promote the hopes of the oppressed people of Hungary for a future of freedom and liberty."

•

Representative
JOSEPH P. ADDABBO
of New York

Mr. Speaker, I would like to take this opportunity to say a few words to my distinguished colleagues on the 60th anniversary of the Peace Treaty of Trianon. Unfortunately, it is not an anniversary that brings joy; rather, it is an anniversary of sadness and despair for the almost 4 million Hungarians living under the great weight of Communist dictatorship and cultural and national oppression in Romania, Czechoslovakia, the Soviet Union, and Yugoslavia.

The end result of the treaty was the heralding in what is now 60 years of deprivation of human rights inflicted upon Hungarians in those nations. In Romania, the Romanian Government has made in quite clear of its intended cultural genocide of the Hungarian ethnic group. In Czechoslovakia, the Communist dictatorship and Soviet occupation are major roadblocks in the Hungarians quest to enjoy their culture. It goes without saying that those Hungarians living in Yugoslavia and the Soviet Union, live under the antithesis of the American ideals of democracy and respect for fundamental human rights.

Of all the crimes mankind has perfected, none is more heinous than to deny anyone the right to the cultural, political, and religious freedoms that are an integral part of the fulfillment of human potential. If we as a national fail to stand up to those countries who willfully deny people their most basic human rights, then we, too, must be prepared to accept part of the blame for their suffering. Inaction, in respect to human rights violations by the democracies of the world, will almost certainly lead to continued action by the violators. Failure to understand this will only insure that more treaties of Trianon will occur.

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Representative
DON RITTER
of Pennsylvania

The 60th anniversary of the infamous Peace Treaty of Trianon which cut the Kingdom of Hungary into four parts. Instead of the multinational Hungarian Kingdom which promoted cultural development of its nationalities, Central Europe became the homeland of many multinational states, each professing to be a nation state and oppressing its national minorities.

Today, from the perspective of 60 years later, we see that the injustices so keenly felt by the proud Hungarian people are still with us.

Over four million Hungarians still remain outside Hungary in the Carpathian Basin. Romania alone has 2.5 million in Transylvania, an ethnic group too large to digest and too large to liquidate despite Romanian attempts at cultural suppression. Even the U.S.S.R. now boasts of a Hungarian population as the Carpatho-Ukraine was forcibly taken from Czechoslovakia in 1945 with its mixed Hungarian-Ruthenian population.

The United States always had reservations about the Treaty and sympathy for the national minorities. President Wilson insisted originally on plebiscites which would have redrawn the frontiers in favor of Hungary. He favored the retention of several frontier areas by Hungary. And the U.S. Senate refused to ratify the Peace Treaty of Trianon.

In 1946, the American delegation to the Paris Peace Conference suggested the return of the frontier areas on the Hungarian-Romanian border to Hungary, an idea that was vetoed by the Soviet Union.

Today, the problem of national minorities remains with us in Central Europe, particularly the Hungarian-Romanian problem in Transylvania and the nationality problems within Yugoslavia.

We see the Hungarian minority mistreated in Romania, sharing the heavy burden of repression in Czechoslovakia, worrying about its future in Yugoslavia and remaining silent in the frontier regions of the Soviet Union. All under the rule of enforced Marxism-Leninism.

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Representative
CHARLES F. DOUGHERTY
of Pennsylvania

Mr. Speaker, on June 4, 1980, Hungarians all over the world commemorated the 60th anniversary of the Peace Treaty of Trianon. This treaty, which was supposed to implement the noble ideals of President Wilson's 14 points on national selfdetermination, fell far short of its mark and became a document of French security policies to the detriment of Hungary, whose Prime Minister was the sole opposing voice against the war in the Crown Council of Austro-Hungary in July 1914.

Hungarians throughout the world commemorate the anniversary of the treaty in mourning, for over 70 percent of the territory and over two-thirds of the population of the Kingdom of Hungary was taken away from the Hungarian state. Over 3.3 million Hungarians were placed under foreign rule and were mistreated, esespecially in Romania, despite the Minority Protection Treaties between the allies and the successor states of Austro-Hungary in 1919. The problems created by the treaty, the authors of which refused any suggestions for plebiscites for adjudicating claims, helped first Hitler, and later Stalin, to divide and conquer the area.

The United States did not favor the treaty. Gen. Harry Bandholtz, our representative at the Allied Military Mission in Budapest in 1919-20, acidly criticized the smaller allies' intrigues to gain Hungarian-inhabited areas, and the U.S. Senate has never ratified the treaty. Even in the hostile atmosphere after World War II, the American delegation to the Paris Peace Conference of 1946 suggested frontier adjustments in Transylvania in favor of Hungary, only to be vetoed by the Soviet Union.

Unfortunately, the consequences of the treaty were not only historical. Even today, about 4 million Hungarians live in the surrounding states around Hungary, most of them — 2.5 million — in Transylvania, which is now part of Romania. Indications are that the systematic denationa-

(Continued on Page 8)

National History vs. Present Minority Policies in Rumania

Whether ancient history of a nation can have a dominant role in developing present national policies is clearly shown in the treatment of minorities in the Socialist Republic of Rumania. Although the roots of Rumania's present minority policies thrive on unbounded nationalism, they are further motivated by a rather arbitrary extension of the Rumanian history back to the murky ancient past, coupled with an artificially bred glorification of the Rumanian nation. Both views enjoy the strong support of the communist government, and, what's more, they are made compulsory, exclusive official ideology of the country. No deviation from them is tolerated and historians, linguists, archeologists, together with political propagandists, have been ordered to work hard to develop, excavate and find hard evidence supporting the pre-determined official theory of the so called "Daco-Roman-Rumanian continuity." It seems that pure speculation and imagination are also encouraged where hard facts and documented evidence are not available.

The scheme, how the two aspects, alleged Rumanian past and actual present, are put in a causal correlation with regard to national minorities, could be, indeed, it should be, subject of thorough examination for the benefit of the non-Rumanian population of Rumania so that their plight may be exposed to international public scrunity.

But briefly, these are the apparent building stones of the Rumanian application of the self-serving Rumanian views on the ancient history of the area used for building Rumania's present oppressive minority policies:

1. Rumanians are a "very old and exceptionally great" nation because they are descendants of the Dacians whose country, Dacia, was established some 2000 years ago. (That country had included parts of Transylvania but after the Romans evacuated it in 261 A.D. resettling both "soldiers and provincials" in Northern Bulgaria, Dacia soon ceased to exist.)

2. The Roman settlers having completely abandoned the province, Transylvania remained the crossroads of migrating peoples during the next seven centuries. The land was overrun and ruled by the Carps, Gepides, Goths, Huns, Avars, Slavs and Bulgars and no trace of the Dacians remained, yet—according to the unlikely Rumanian view—,they (the Dacians) survived the more than half-a-thousand year period in hiding.

3. The Hungarians—so says the official Rumanian historiography—populated Transylvania only in the 12th century, some 800 years ago. So did the Saxons.

4. From these views the Rumanian national ideology derives some important conclusions concerning the status of the national minorities:

a) The only "original" inhabitants of Transylvania are the Rumanians, the descendants of Dacians and Dacia was actually "the first Rumanian state" on the territory of Transylvania. Therefore Transylvania is an exclusively Rumanian land.

b) The Hungarians (and the Saxons resettled in Transylvania in the 12th century by Hungarian kings), having lived "*only 800 years*" in Transylvania, should be seen as "intruders, vagabonds, nomads, transit peoples," that is, not permanent inhabitants of Transylvania like the Rumanians are.

c) They (Hungarians, Saxons and other non-Rumanians) should long ago have adopted the "superior" Rumanian culture and assimilated into the Rumanian nation.

d) Since they did not assimilate but have kept their language, culture and national identity, these non-Rumanian nationalities of Transylvania stand in the way of what is considered by official Rumanian view, the "*one-nation state*" of Rumania.

e) Therefore Hungarians and other nationalities in Transylvania should be eliminated as swiftly as it may practically be possible.

f) Apart from threats made by some extremist Rumanian hate-groups, we are not aware of such Rumanian plan that would advocate the physical wiping out of Transylvania Hungarians. Rumanian minority policies, as they have been implemented in the last 25 years or so, indicate that forcible, accelerated absorption is what the Rumanian government believes to be the most suitable and least detectable way to eliminate non-Rumanian minorities in Rumania.

• • •

It is rather obvious to us that the train of thoughts, we just described, does not come through in such comprehensive manner in some Rumanian documents, such as the constitution, lawbooks, or decrees, as we here made it for the purpose of summation, if for nothing else, only to avoid shameful embarrassment for the government. But by putting together the frequent pronouncements of president Ceausescu, and all the facts as they appear in everyday life of the Hungarian population, a clear image of a systematic, co-ordinated, official masterplan emerges aiming at the elimination of national minorities in Rumania, and besides, it is probable that some confidental papers prepared by government agencies for the appropriate governmental departments do include the above or similar guide-lines which we here attributed to the Rumanian government. But being classified documents, they must be well guarded from any international inquiry or from Transylvanian Hungarian leaders. The probability of that kind of documents is well supported by the known fact that so called Internal Regulations ("Dispozitii Interne") do exist and are widely employed in the field of nationalities policy by the Rumanian government.

Out of the numerous actual anti-minority measures which detrimentally affect the survival of a nation, we bring up here only two examples:

1. *Lack of bilingualism*. Use of native tongue—other than Rumanian—is completely eliminated from all areas of official activity. One must not use his/her Hungarian mother-language at administrative offices, lawcourts, to buy a railway or bus ticket, to send a telegram, make an order in restaurants, etc., etc. Hungarian storekeepers and customers are expected to communicate in Rumanian; being caught speaking Hungarian may have bad consequences for both. Even on the meetings of the Nationality Workers Councils the

use of native language is forbidden. Only Rumanian names of cities, villages may be used all over Transylvania even though most of them were Hungarian or Saxon established communities, and still have a sizable non-Rumanian population. The same situation is true with street-and other official signs. The only exception to that may be found in some places in the Székely land where some 800,000 Hungarians have lived for at least a thousand years but their original 100% majority has already diminished to some estimated 70-80%, as the result of Rumanian resettlement policies. The decline has not stopped: it seems to be an ongoing project.

2. *Dwindling number of Hungarian schools.* In the last many years each schoolyear started with less school or classes where the language of instruction is Hungarian, than the previous year did. Even in these schools the number of subjects taught in Rumanian is on the increase.

The excessive requirement in minimum number of pupils to open new Hungarian classes or maintain existing ones (25 at grade school and 36 at high school level) is prohibitive in hundreds of smaller communities. But, for 24, respectively 35 Hungarian children a Rumanian school will be opened.

Some 30% of the Hungarian youth is growing up already without Hungarian education, and if this figure grows by an annual 5%, in 15 years there won't be any Hungarian schooling at all in Transylvania where about one-third of the population is still Hungarian.

The forcible merger of the Hungarian and Rumanian universities in Kolozsvar-Cluj some two decades ago is still bitterly remembered, but the Hungarian section already fell into oblivion. The only subject still taught in Hungarian is now Hungarian literature.

We could go on and on in listing the measures directed against the language, culture, national consciousness, present and future of Transylvanian Hungarians. By rewriting the history of Transylvania, even the rich and dominating Hungarian past of that land is being destroyed. Books are and more could be written about the tragic situation of Hungarians under Rumanian domination.

***But now that the Rumanian point of view was described, let's see briefly the other side of the coin*:**

1) The hypothesis that Rumanians are descendants of Dacians is rather wishful thinking than historical fact. There is absolutely no evidence to prove it. But numerous data point to the direction of the Balkan Peninsula as the first known homeland of Rumanian shepherd tribes. There they were exposed for a much longer time to latin linguistic influence than during the 150 years of Roman occupation of Dacia they could have been. From the Balkan the Rumanians wandered North and reached the Southern part of Transylvania at the beginning of the 13th century. That happened some 300 years after the Hungarians entered Transylvania and thousand years after the disappearance of Dacia.

Interestingly enough, the Rumanians themselves celebrated the 750th anniversary of one of the oldest Rumanian settlements in Transylvania just recently, in 1972. Since their press report about the celebration calls it one of the oldest settlements, this indicates that the Rumanians themselves do not quite believe in the 1000 years older Dacian connection. Indeed, that Rumanian settlement in the Fogaras district in 1222 is the first one ever mentioned in a written document. (This one, issued by the Hungarian king, Endre II, is a sort of license for the settlement under their own chief.)

But let's leave history in the historians' domain and let's leave the Daco-Rumanian continuity to be a historical problem, and not a present political one. Unfortunately for the Rumanian historiography, however, using the theory of the Daco-Rumanian continuity for political purposes by president Ceausescu is rather counterproductive with regard to its credibility. The more Mr. Ceausescu employs the Dacian connection for his national propaganda campaign, the less credible he makes it in the eyes of non-Rumanian historians.

Mr. Ceausescu's efforts also reveal the duplicity of his minority policies: on one hand he declares that it does not matter what language is spoken as long as it spread the teaching of international communism, on the other hand he unabashedly promotes old fashioned, burgeois nationalism which indirectly, and often directly, is the source of degradation for the non-Rumanian inhabitants of the country.

2. Lastly, it should be pointed out that it is entirely immaterial whether the Rumanian settled first in Transylvania, as the politically motivated Rumanian historiography wants to know it, or the Hungarians, as it is generally known by historical science. The historical fact is that the Hungarians conquered the Carpathian Basin, which includes Transylvania, at the end of the 9th century and established there the Hungarian state which since has never ceased to exist (even though the peace treaty concluding World War I reduced its territory to less than one third of the original country).

Although the unscientific ways trying to support the Rumanian contention of their 2000 years old past are likely to do disservice to the historical science in general, and its propagandistic application for domestic consumption tends to vulgarize the scholarly level of Rumanian historiography, these are not the main reasons of our criticism.

We condemn an untenable, indeed, immoral outgrowth of the Daco-Rumanian theory, namely the assertion that the Rumanians' alleged antecedence in Transylvania pre-determines the place and rank of the three largest nations, Rumanians, Hungarians and Saxons, in the national hierarchy, today. Rumanians are "the" inhabitants of the country, while Hungarians and Saxons are considered as "auxiliaries" graciously accepted for living together as co-inhabitants with the culturally "superior" Rumanian nation in Transylvania, "The Land of the Rumanians." One cannot trust them — goes on the Rumanian view — because they are "vagabond, transit peoples." This vicious interpretation of a self-serving historical theory is channelled to the schools and the Rumanian teachers spread it in history and related classes, thereby agitating the pupils against their non-Rumanian classmates, degrade minority children, their parents and their nationality, poison their delicate young soul with constant humiliation and sow the ugly seeds of hatred and discrimination.

The Rumanian view that 1000 or 800 years of continous existence of a nation in the same land is not adequate qualification to be first class citizen and permanent inhabitant of Rumania would be a ridiculous idea if it did not have such tragic consequences for the national minorities.

Rumanians, Hungarians and Saxons, together they lived 800 years in Transylvania. From this mutually recognized historical fact only one basic conclusion could be drawn with regard to the relative standing of these nations. That is: *equality*. Rumania, into whose hands vicissitude of history, 60 years ago, placed the responsibility for 3 million non-Rumanian citizens of their country, an estimated 40% of the total Transylvanian population, should recognize that bringing about equality is her solemn obligation in the name of decency and enlightedness, and as signatory to the many international proclamations pronouncements and agreements for respecting human and national rights. Rumanians ought to wake up of their dreams of making a pure Rumanian state on the expense of other peoples' rights. They should understand that Transylvania is the homeland not only for Rumanians, but also for Hungarians and Saxons whose right to Transylvania is not a jot weaker than the Rumanians' right to it.

A land can be called one's homeland only if people feel there at home because they are free to use their native language, enjoy their own particular culture and live up to their national identity. Therefore, next to the Rumanian, the Hungarian and German languages should be recognized as official languages, and taught as compulsory subjects all over Transylvania.

Complete equality of Rumanians and non-Rumanians is the only solution of the Transylvanian problem..

"Transylvania and the Theory of Daco-Roman-Rumanian Continuity"

As a small contribution to the XVth International Congress on Historical Sciences last June we published a scholarly work under the above title. This book is a special issue, Volume 8, Number 1, of the Carpathian Observer.

Our aim in preparing this publication was to make widely available several scholarly analyses on the controversial subject of the origin of the Rumanian language and nation which was one of the themes of the Congress held last August 10th to 17th, in Bucharest.

The work comprises seven essays, some written exclusively for this publication, some reprinted or translated from earlier works:

1. "**The Daco-Rumanian Theory of Continuity: Origins of the Rumanian Nation and Language**" written by **Andre DuNay** exclusively for this publication. (The author, a prominent European scholar, uses this pseudonym which was forced upon him by political circumstances in Rumania.)

2. "**The nationalities of Dacia during the Roman Period**" by **Lászlo Réthy** (1851—1914). This study was first published in 1886 by the National Archeological and Anthropological Society in Budapest.

3. "**Who were the people living in the Carpathian Basin before the Hungarian Conquest?**"—a Round-table discussion on the people of the Carpathian Basin before the 9th century. It was originally broadcast by the Hungarian Radio in 1978. The participants of the discussion are scholars and professors, leading authorities in their fields.

4. "**The most recent version of the theory of Daco-Rumanian continuity**" by **Jean Csonka**, professor at the Ecole Superieure de Commerce in Neuchatel, Switzerland. It was first published in the "Documentation on Central Europe", a periodical issued by the Institute for Research of Central Europe (Louvain, Belgium, 1979). With the permission of the publisher we reprint the essay in original French, complemented with a summary in English.

5. "**The Albanian-Rumanian Migrations (11th-13th centuries)**" by **Georg Stadtmüller**, Professor Emeritus of History, University of Munich, former director of the East-Europe Institute of Germany. This text is a chapter of Prof. Stadtmuller's work, "Geschichte Sudosteuropas" (1950, second edition 1976) which we reprinted in German original with the permission of the publisher, R. Oldenbourg Munich and Vienna). English summary is added.

6. **A Hungarian-Rumanian Dialogue**, excerpts from a press review article, entitled "At the Danube," published in "The New Hungarian Quarterly (Winter 1978)".

7. "**Ethnocide in Rumania**" written for this publication by **Michael Sozan**, professor of anthropology, Slippery Rock State College (Pennsylvania), based on an earlier work by the author which appeared in "Current Anthropology", March 1979.

The editor of "Transylvania and the theory of Daco-Roman-Rumanian Continuity" is **Louis L. Lote**, President of the publishing Committee of Transylvania, Inc., and founding editor of the Carpathian Observer. He was supported by an editorial board: **Stephen Borsody**, Professor Emeritus of History, Chatham College (Pittsburgh), **Nandor Dreisziger**, a history professor at the Royal Military College of Canada, **Adam Makkai**, Professor of Linguistics at the University of Illinois, and **George Schopflin**, a Lecturer at the London School of Economics and the School of Slavic and East European Studies, University of London.

The book (112 pages, 6 maps) is obtainable for the readers of the Carpathian Observer at a 30% discount price of $5.00 ($6.50 by airmail to overseas) or equivalent foreign currency. Make check payable to Carpathian Observer and send it to Committee of Transylvania, P. O. Box 3869, Rochester, NY 14610.

> *We did not win a victory, but fight we did! We could not save our native country, but obstructed tyranny. And once, when our history, will be written, we shall be able to say that we offered resistance.*
>
> (Kossuth, 1849)

The 60th anniversary of the Peace Treaty of Trianon in the U.S. Congress

(Continuation from Page 5)

alization of the Transylvanian Hungarians, despite worldwide criticism, is designed to eliminate this large ethnic group in the next two to four decades.

In Czechoslovakia, Hungarians share the unkind fate of all the people under Soviet occupation but, in addition, complain of few educational opportunities on the secondary and postsecondary level. In Yugoslavia, their educational opportunities are better but their fate is uncertain in the wake of the death of President Tito.

There is a small, mostly silent, minority of Hungarians in the Soviet Union. The U.S.S.R. insisted that President Benes of Czechoslovakia turn over to the Soviets the Province of Carpatho-Ukraine in 1945 with its mixed Ruthenian-Hungarian population. Now 200,000 Hungarians are subject to direct Soviet control and have the colonial status of all the nationalities in the Soviet Union.

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STATEMENT OF

ALBERT GORE, CHAIRMAN OF THE BOARD

ISLAND CREEK COAL COMPANY

LEXINGTON, KENTUCKY

IN SUPPORT OF

ROMANIAN MOST FAVORED NATION STATUS

JULY 27, 1981

INTERNATIONAL TRADE SUBCOMMITTEE OF THE

SENATE FINANCE COMMITTEE

Trade relations between Island Creek Coal Company and Romania are pleasant, profitable and mutually beneficial. In the course of this business, I have repeatedly visited Romania and several Romanian officials have visited Island Creek Coal Company. Indeed, three citizens and officials of Romania live and work in the United States in connection with our mutual undertaking in the production of coal from a mine in the state of Virginia. These citizens have deported themselves in an exemplarily manner and they have become a part of the communities in which they live.

I am a member of the Romanian-U.S. Economic Council. From this vantage point, I have observed trade relations between private enterprise companies of the U.S. and Romania. These associations, and these transactions add to the prosperity of the U.S. and, I think, contribute to peace and understanding between the people of our country and the people of Romania.

It is a pleasure to endorse and recommend that Most Favored Nation treatment be accorded to Romania.

STATEMENT

by The

Committee "The Defence of Religious Freedom and Conscience" (ALRC)

New York, USA.

Addressed to the US Senate Committee on Finance, Subcommitte on International Trade on the ocassion of hearings on extending Most Favored Nation Status to Romania

July 27, 1981.

The Committee "The Defence of Religious Freedom and Conscience" (ALRC)
64-15 Forest Ave.,Ridgewood,New York, 11385.

Statement

By the Committee "The Defence of Religious Freedom and Conscience" (ALRC), New York, USA Addressed to the US Senate Committee on Finance, Subcommittee on International Trade on the ocassion of hearings on extending Most Favored Status to Romania, July 27, 1981.

The contrast between Romania's relatively liberal foreign policy and its tightly repressive internal policy is mirrored no more clearly than in its religious situation. From 1975-81 there has been an effort to improve Romania's image abroad in this sphere. The docile Romanian Orthodox Church has supported the Ceausescu regime abroad, through participation in International Ecumenical Movements and Conferences, as well as through extending numerous invitations to distinguished visitors from the West, in exchange for government subsidy of church buildings, establishment of study programs for theological students abroad, relatively unhampered liturgical activity of the church. In areas of church history, patristics, systematic theology, liturgical studies, the Romanian Orthodox boasts of some of the finest theologians in their field. The Church, however, agrees to a policy of non-criticism of the government's policies and actions, including its atheistic teaching, its social pressure on individual believers, state interference in internal decisionsof church polity. The Church has at times to deny state persecutions of individuals "by order" and not in reference to the facts.

This relationship is called the "Romanian Solution". It is now being tried with other denominations, especially the Baptists and Pentecostals, where the government is encouraging visits by noted preachers from the West, as well as filling up its emigration quota with evangelicals. The policy on emigration seems to be discriminatory, possibly reflecting local conditions. Due to Western pressure, Romanian authorities have been required to undertake modifications of its religious policy. Romanian officials are always keen to point out the better conditions for believers in Romania over and against conditions of believers in the Soviet Union. Incidents, however, of the last six months point to the underlying contradiction of Romanian action with Romanian professions.

A. The Romanian government hides its persecution under the guise of pursuing criminals. They never accuse anyone of religious activities but use other excuses to inflict punishment on believers involved in religious pursuits of conscience threatening to the State.

1. Hooliganism

On March 25, 1981, Emil Dumitru and five fellow Baptists from Constanta organized a hunger strike at Dumitru's home, protesting the two year delay of their applications to emigrate. The group had announced their intentions to the rest of Romania through Radio Free Europe. The authorities reacted quickly, breaking into the home and arresting all six men. They were sentenced to six months imprisonment for 'hooliganism'. The Romanian government consistently reacts violently against those who correspond with RFE, though the radio station is the only sure internal channel of communication.
Other believers have attempted, in greater desperation, to cross the Romanian borders illegally, having had no success through official channels and having

been badly treated by passport officials. All believers seeking emigration leave Romania reluctantly, seeking a haven from atheist teaching for their children, as well as desiring to practice their beliefs and ministry without facing life as a "second-rate" citizen. Among religious practices denied them are: religious education of children; free availability of religious literature; open evangelism; pursuit of professional careers as Christians.

2. Currency Speculation

In October 1980 Romanian police began a lengthy investigation into a Bible courier network into the Soviet Union. This was in direct compliance to a request from Soviet sources. Five men were sentenced to prison terms of two to four years, and fines totalling 750,000 lei (60,000 dollars). They were accused of illegal distribution of literature (without official authorization), and of possessing and illegally transferring foreign funds. The root motive for their actions was the fact that Bibles are greatly needed in the Soviet Union. Circumstances thus weigh heavily against this kind of Christian ministry in Romania. Such transactions would be quite normal in the United States.

3. Bureaucratic Technicality within the Church

Also in March 1981 a new investigation was opened up in Bucharest, Braila, and Oradea against Baptist pastors. Pastors Talos, Geabo, Sarac, Stefanut, Brinzei and Ton, are being accused of embezzling church funds, because of alledgedly inadequate financial records of transactions. The pastors had in fact administered funds without naming the recipient. At the same time they were led to understand that church finances were affairs of the church and not the state, as a verbal agreement to this effect had been given by the Dept. of Cults in Romania in 1974. Rather than punish them directly, the state has asked the Baptist Union leadership to expel the individual pastors, thus leaving them vulnerable to state prosecution without the need of the denomination to provide their defence. The same tactic was used against members of the Christian Committee for the Defence of Religious Freedom (ALRC) in 1978, which led to the imprisonment of many of its members in 1979-80 and to their ultimate expulsion from the country. The state is using a weak, compliant Baptist leadership to remove men who constitute the most influential force in the denomination today. They are slated for possible elected positions in the Union leadership in forthcoming elections. The attack against them should be seen as a further effort to weaken Baptist leadership.

4. Political Slander

The Romanian authorities have been successful in turning the Church against its own members in the Orthodox circles also. In March 1979, Fr. Gheorghe Calciu was sentenced to ten years imprisonment on unknown charges. A former teacher at the Seminary in Bucharest, he had been dismissed from his post in May 1978 and offered administrative work in the Patriarchate. He had attacked atheism and state interference in church affairs in a public address during a Lenten series among the students. Though the protests by Fr. Calciu were far from the main thesis of his talks, he was reprimanded and subjected to a gradual increase of repression, including threats against his wife, until his imprisonment. His present condition in prison has given cause for fears that he might not survive the ordeal. Fr. Calciu was forced to serve 16 years in prison in 1948. Patriarchate officials joined in the chorus that Fr. Calciu was a neo-fascist, a catch-all accusation.

Fr. Calciu was clearly in danger of creating a terrific stirring among active Orthodox youth. He was unable to avoid involvement also with other human rights issues, which were surfacing at that time. Hence he came to symbolize the awakening of a new consciousness in Romanian Orthodox circles, some of whom branched off into creating Free Trade Unions, and thus received the harshest sentence of all.

B. Treatment of Fr. Calciu and of ALRC members in interrogation and in prison has been replete with physical abuse, abusive use of drugs, sleep deprivation, extensive solitary confinement, and other tortures. Romanian border guards have also tightened control of tourists, both entering and leaving the country as they search for Bibles, religious literature on the way in and documents on the way out. British researcher, Alan Scarfe, was picked up by police in Cluj in October 1980 and expelled from the country because of articles which he had written on Romania's religious situation. He had been asked at the border for Bibles, even before he was checked for possession of a fire-arm. The Romanians are very concerned that their image of religious toleration remain in tact, but do not wish to achieve this by simply granting genuine religious freedom on all sides.

Stable US-Romanian relations are vitally important. As long as mutual interchange can be achieved on both sides, in such talks as those connected with MFN status and the Helsinki Accords round-table talks, it is essential that channels be kept open. Considering, however, President Reagan's latest statement regarding the place of human rights considerations at the negotiating table, it is important that the principle of religious freedom in Romania be seen to be in effect and that the Romanians be requested to correct apparent non-application of this freedom before agreements can be signed.

IT IS REQUESTED, THEREFORE, THAT members of the U.S. House Ways & Means Committee dealing with the MFN status review of Romania, impress upon the Romanians that, for a ready continuation of the special relationship between the two countries:

THE AMERICAN PEOPLE REQUIRE:

a. the release of all prisoners of conscience and faith, especially Fr. Gheorghe Calciu; Emil Dumitru and others names in this and attached reports;

b. the speedy reunion of families presently divided (see attached list);

c. the dropping of investigations against the six pastors in Bucharest, Braila, and Oradea, and the non-interference of Dept. of Cults in the Church's election of its leaders and in running its internal financial matters;

d. easing of controls of foreign tourists to Romania specifically demanding religious material and the setting up of independent channels for Bibles and literature without state interference, as in Yugoslavia and Poland;

e. the granting of equal opportunity to all young people irrespective ov beliefs, with the re-opening of faculties closed to believers;

f. greater permitting of repairs on existing buildings and opening of new churches where all legal requirements are met. We especially ask this for the churches of Girbau, Motru, Mihai Bravu in Bucharest... and others cited on page 5, of the attached report.

More detailed testimony for ALRC is attached.

Sources: Society for the Study of Religion under Communism; Creed; ALRC.

The Committee "The Defense of the Religious Freedom and Conscience"
(ALRC), New York, the United States of America.

REPORT

by the Committee ALRC, June 8, 1981

INTRODUCTION

Romania is a country ruled by a communist regime which makes no secret of the fact that its ideology is based on materialist atheism and that, through intense indoctrination campaigns, it intends to make all the citizens conform to its beliefs.

Official Communist declarations state precisely that, for the realization of their goal, only methods of argumentative conviction will be employed and that they will never use coercive methods. Unfortunately, these declarations are mere exhibitions for the uninformed observer, while the officials employ harsh and systematic methods of beatings, frightening, intimidating, humiliating, defeating, and corrupting believers into the realization of the governmental goal, namely disappearance of religion from Romania.

We are speaking of a very systematic, yet subtle and masqued persecution against all believers, but especially against those that are very active within the church - a persecution which is difficult to observe from the outside.

The persecution is done by all governmental agencies, against all believers indifferent of their confessional position, but is mainly targeted at evangelical believers. Everywhere, believers are regarded as anachronistic people who should be extirpated as undesirables. Openly, it is declared that believers are "behind the times", "dangerous", slowing down the socialistic development, destroyers of the country, agents of the capitalists and people who are undermining the government.

A. In Romania there areover one million Protestant and Neo-protestant believers, but not one believer is allowed to hold a position or leadership in the country, even though many of them have academic titles. There is not a believing mayor, a believing school director or an engineer who is a leader of his unit. In every place the access toward higher functions is barricaded, and when somebody who occupies a high position becomes a member of an evangelical community, he is immediately dismissed and placed on a lower level, during an open meeting in which he is verbally humiliated.

The children of believers are abused, insulted, and ill-treated in the schools beginning with Kindergarten.

At a school in Closani, Gorj district, the children were asked by their teachers to spit at the children of the Baptists, publicly, in the courtyard of the school.

1. The persecution of Christian students and teachers

The beginning of the present persecution was marked by a Romanian television presentation in 1973, of a programme entitled "The School is not a Pulpit". It concerned two Adventist teachers. After the program, the two teachers were fired. Various regulations stop persons who do not have the special approval of the Party to study the following: philosophy, law, economics, sociology, psychology, pedagogy, history, journalism. Of course, Christians cannot get such an approval.

The regime limits the number of students in the theological schools and expels from these schools the students or professors who seem to be "independent". In 1976, Dimitrie Ianculovici and Ionel Prejban were expelled from the same seminary. Now, there are only five students in the first year (1980-1981).

In 1979, the students of the Orthodox Theological Seminary and the Orthodox Theological Institute from Bucharest were interrogated and harassed in connection with the case of the Orthodox priest, Gheorghe Calciu-Dumitreasa. Several Christian students were expelled from the University. We mention some of them by name: Genoveva Sfatcu, from the Faculty of Germanic Languages of the University Jassy; Pavel Nicolescu, from the Faculty of Philosophy of the University of Bucharest; Daniel Chiu, from the Faculty of Philosophy of the University of Cluj. They all are now in the United States. Here are some names of teachers who were fired or obliged to renounce their positions in the learning system, because of their religious convictions:

Peter Cimpoieru, Adventist, teacher of history, Bucharest.
Iosif Ciuca, Baptist, teacher of history, Braila (now in USA)
Aurelian Cafengiu, Brethren, teacher of arts, Bucharest (now in USA)
Ionel Gabriel, Adventist, teacher of music, Bucharest.
Aurel Serban, Pentecostal, teacher, Padureni-Cluj
Nemeth Ladislau, teacher of philosophy, Oradea
Susana Crisan, Baptist, teacher of Romanian language, Cluj
Felicia Agneta, teacher of arts, Baptist, Cluj
Emil Creanga, Pentecostal, teacher of history, Arad

In the Fall of 1978, a commission from the Central Committee of the Communist Party came to Cluj to start an investigation with pretext of studying the religious phenomenon at the children in the primary school. In 1977, the Department of Social Sciences of the Polithenic Institute from Cluj asked the students to fill in the so called Survey AS-1. Under the pretext of a scientific investigation, the Communist Party was aiming to discover the Christian students.

The laws of the country tell us that the free exercise of every confession is allowed, but this liberty is fenced by many ways. In many places the freedom to worship is openly denied, because even though the believing community has fulfilled all the legal formalities, they do not receive permission to build their places of worship. Many times, the worship place is small, improperly insulated, cold, and hundreds of listeners are forced to crowd in a single room, stand on their feet, or stand in the cold and rain and listen through the open windows, because the authorities have refused to grant permission to construct a building adequate for the worship of a confession that has the legal freedom to exercise its rights!

The pastors are continually bugged, insulted and obligated to make compromises of conscience and to betray the secrets of the believers whom they are pastoring. In this manner they are broken and deprived of the spiritual power necessary for the growth of the church. A more tragic reality is that some of these pastors become governmental tools; some unconsciously, serving those who seek the destruction of religion. If the believers gather in small groups in homes to discuss their faith and to pray together, the police come into their homes, violating their constitutional right to assemble and applying heavy fines. Many believers are called to the police station where they are fined and threatened under various forms to renounce their faith, or to become informers for the police.

2. Fines against the churches or individual Christians

The financial policy of the Romanian Communist regime of taking money from the Christians and the churches is one of the methods used to weaken the Christian Church. We will present here only a small number of cases.

a.) Five Christians involved in an organization that smuggled Bibles in Romania and USSR were tried in January 1981 and sentenced to various terms in prison and fines of more than 700,000 lei.

b.) A Catholic priest, Fr. Godo, from Herculane (Caras-Severin district), was sentenced to 5 years in prison and a fine of 140,000 lei because he collected money to build a church.

c.) Believers from Arad-Bujac (Arad district) lost 1,500,000 lei, although not in form of a fine. The locas authorities and the secret police closed the building of their church.

d.) In the district of Cluj, several Baptist and Pentecostal churchs were fined up to 155,000 lei.

The Baptist Church from Girbau (Cluj district) got a fine of 75,000 lei for a small modification of their church building.

The document "The Neoprotestants and Human Rights in Romania" (1977), signed by Iosif Taon, Aurel Popescu, Pavel Nicolescu, Constantin Caraman, Radu Dumitrescu and Silviu Cioata (published in "Hearings before the Commission on Security and Cooperation in Europe" 95 Congress - April 27-28, 1977 and May 9, 1977, pages 419-436) presents about 25 cases of Christians or groups of Christians fined for meeting in private houses (not in churches) to worship. The fines totalled almost 367,000 lei. They were applied against the Baptists, Pentecostals and Brethren.

e.) Another document "A Bleeding Member of the Romanian Orthodox Church" written by the Romanian Orthodox priest Leonida Pop (now in West Germany) presents the spiritual movement "The Lord's Army" that is functioning inside the Romanian Orthodox Church. (The Romanian Orthodox Church has about 15,000,000 members, while "The Lord's Army" has about 300,000 members). The author of the document knows about fines inflicted on members of this movement, totalling more than 200,000 lei. This document was presented to Radio Free Europe.

f.) In 1978, Radu Capusan had to pay 10,000 lei as a fine for transmitting informations in West about the religious persecution in Romania.

g.) In 1980, several Pentecostals were fined 67,000 lei, because they asked to emigrate.

h.) Right now, the authorities from Romania, in cooperation with the leadership of the Baptist Union are trying to accuse six of the most popular pastors from Bucharest, Braila and Oradea of financial fraud in their churches.

3. Christians in Romanian prisons

At present there are large numbers of Christians in Romania's prisons. Nobody knows the exact number. The authorities always use other "reasons" to sentence them. The real reason is that they are active Christians. Here are some names:

a.) The Orthodox priest Gheorghe Calciu-Dumitreasa sentenced to 10 years in prison in March 1979 for publicly attacking the atheist philosophy of the Communist Party in his sermons. He also publicly criticized those responsible for the demolition of two old Orthodox churches, one in Bucharest (Enei Church) and one in Focsani (Domneasca Church). He was very popular among students.

b.) 5 Christians were sentenced in January 1981 to various terms for their involvement in spreading Bibles in Romania and smuggling them to USSR:

Gross Paul - 4 years prison + 2 years of loss of civil rights + 249,000 lei fine.

Kloss Mihau - 3 years prison + 2 years of loss of civil rights + 66,000 lei fine.

Fakner Mathias - 3 years prison + 2 years of loss of civil rights + 124,000 lei fine.

Herbert Manfred - 2 years prison + 2 years of loss of civil rights + 124,000 lei fine.

Hofman Gheorghe - 1 year and 6 months prison + 175,000 fine.

During the investigation, the police used torture and drugs against them to obtain information about the ways in which the Bibles were introduced into Romania and USSR.

c.) Christians from Constanta were sentenced to 6 months in priosn, in March 1981 because they started hunger strikes, to get passports to emigrate:

Emil Dumitru (Baptist)
Manea Stancu (Baptist)
Dumitru Stancu (Baptist)
Petre Varvara (Baptist)
Gabriel Fulea (Baptist)
Solomon Sidea (Baptist)

d.) Two Baptists from Jassy were sentenced for trying to cross the border in Jugoslavia:

Silvia Tarniceru - 2 years of prison

Elena Bogean - 2 years of prison

Recently, we learned that another group of Baptists tried to cross the border into Jugoslavia (among them a very active believer from Resita - Gheorghe Hutman). They were caught and sentenced to various terms in prison.

e.) Ionel Prejban, a Baptist from Unciuc, Hunedoara district, was recently sentenced to a second term of 3 months in prison, being accused of "parasitism". In 1978 he was tortured in Caransebes and sentenced to 8 months in prison.

f.) The Catholic priest, Fr. Godo, from Baile Herculane, Caras Severin district, was sentenced in 1980 to 5 years in prison and a fine of 140,000 lei for collecting money from believers to build a church.

According to our informations, in the last 5 years, more than 70 believers belonging to various denominations have passed through the prisons of Romania. Some persons imprisoned have reported that they met many believers belonging to denominations that are not officially accepted by the state, such as Jehovah's Witnesses, Reformed Adventists and members of "The Lord's Army". The main reasons for which the Chrsitians are put in prison are the following:

(i) Involvement in dissident movements which struggle for religious freedom.

(ii) Holding meetings in private homes for worship.

(iii) Opening churches wit-out official approval.

(iv) Spreading religious literature in Romania, or smuggling it in USSR.

(v) Illegally printing religious literature.

(vi) Pursuing actions to get a passprot to leave the country (especially speaking through RFE).

(vii) Attempting to cross the border illegally.

The Communist regime tries to hide persecution under false accusations such as "parasitism", "terrorism", "hooliganism", "neofascism", etc. During the trial or in the prison, the Christians receive a more severe treatment than other prisoners.

4. The situation of Christian Churches in Romania

In the Communist Party's policy towards religion, the attitude to the churches plays a very important place.

There are three main methods used against the churches:

a.) The closure of neoprotestant churches. In 1961, the Department of Religion, incooperation with official leaders of denominations started to close hundreds of neoprotestant churches. Only in the Baptist denominations about 600 churches were closed, among which 127 in the Baptist Community of Timisoara (there are 6 such communities in the Baptist denomination). There were in 1961, 120 pastors in this community, while today, after 20 years, there are only 35. There are only 172 pastors for the 1,000 Baptist churches in Romania.

b.) The closure of Churches through the demolition or devastation of the church building by people from the Ministry of Internal Affairs, or the Ministry of Defence or people specially instigated to do this. Here are some examples:

The Baptist Church from Dej, Cluj district
The Baptist Church from Bocsa, Caras-Severin district
The Pentecostal Church from Lapugiul de Sus, Mures district
The Orthodox Church from Bucuresti (Enei Church)
The Baptist Church from Motru, Gorj district
The Orthodox Church Domneasca from Focsani, Vrancea District
The Baptist Church from Arad-Bujac, Arad district
The Baptist Church nr. 2 from Resita, Caras-Severin district
The Baptist Church from Girbau, Cluj district
The Baptist Church from Falticeni, Suceava district
The Baptist Church from Sebis, Arad district
The Pentecostal Church nr. 1 from Medias, Sibiu district
The Pentecostal Church Philadelphia from Medias, Sibiu district
The Pentecostal Church from Oradea, Bihor district
The Pentecostal Church from Radauti, Suceava district
The Orthodox Church from Suceava, Suceava district

c.) Another aspect is the refuse of the authorities to give the official approval for reconstruction, repair or enlarging the church building. Because of this, many buildings are old and too small for the number of members of the church. The Department of Religion refuses to give the approval for building new churches. Such an approval is usually given only when another church is closed, such that this is actually a transfer. Here are some cases:

The Baptist Church from Manastur-Cluj, Cluj district
The Romanian Baptist Church from Zalau, Salaj district
The Baptist from Ploiesti, Prahova district
The Pentecostal Church nr. 3 from Cluj, Cluj district
The Baptist Church nr. 4 from Timisoara, Timis district
The Baptist Church nr. 5 from Timisoara, Timis district
The Baptist Church from Negreni, Cluj district
The Baptist Church from Ipotesti, Botosani district
The Baptist Church from Tiganesti, Teleorman district
The Baptist Church Mihai Bravu from Bucuresti
The Orthodox Church from Valenii de Munte, Prahova district
The Baptist Church from Hateg, Hunedoara district
The Romanian Baptist Church from Baia Mare, Maramures district

These are only some of the problems that the Christians in Romania have.

d.) Abolotion of entire denominations, and removal of the clergy. In 1948, the regime destroyed the Greek-Catholic Church, giving an illusory satisfaction to the Orthodox Church which desired to take back to the "mother church" the 2,000,000 Romanians belonging to the Greek Catholic Church. Then, thousands of Orthodox, Roman-Catholic, Greek-Catholic, Lutheran, Calvinist priests, members of the Lord's Army, Baptists, Pentecostals, Adventists, etc., were cast in prison. Many of them found their death there. Although in the beginning the change of the political regime was an advantage for neoprotestants (because they were persecuted before 1944), soon they started to share in the suffering of the Christians. Hundreds of churches were closed under pressure from the Department of Cults and Ministry of Internal Affairs, and pastors had to look for other jobs.

CONCLUSION

The Communist persecution against Christians is not an accident. The hatred and persecution against Christians flows from the basic ideology of the Communist Party - Marxism-Leninism.

In a letter sent by Lenin to Gorky in November 1913, he writes:

> "Every religious idea and every idea about God is the greatest falsehood, is the the worst disease."

The President of Romania has asserted that the Romanian Communist Party does not admit to any other philosophies besides the materialist-atheist marxism-leninism. We think that this is raison d'etre persecution against Christians in Romania

Description of ALRC

APPENDIX

The Committee for Defence of Religious Liberty and Conscience (ALRC)

The Committee ALRC (Apararea Libertatii Religioase si de Constiinta) was created in Romania on April 2, 1978, with the goal of defending the legal rights of Christians, by nine Baptists: Pavel Nicolescu, Dimitrie Ianculovici, Ioan Moldovanu, Nicolae Radoi, Petru Cocirtau, Emerich Iuhasz, Ludovic Osvath, Nicolae Traian Bogdan, Ioan Brisc. Later, some other believers joined it: Gheorghe Barasoveanu (Orthodox), Radu Capusanu, Ioan Tirziu, Ionel Prejban and others.

At its creation ALRC Committee was affiliated to "Christian Solidarity International", Zurich, Switzerland. The spokesmen of ALRC were Pavel Nicolescu and Dimitrie Ianculovici. The ALRC appeared in the Romanian context of a religious movement which started in the seventies ('70), and in the international context of four important factors:

1. The Helsinki Conference
2. President Carter's Human Rights Policy
3. Election of Pope John Paul II
4. The rise of dissidence in other Communist countries

The main goal of ALRC was to inform the public in West about the religious persecution in Romania and to ask for help for the persecuted ones. From the date of its creation in 1978, up to now, ALRC has made public various documents and informations about persecution agianst Christians belonging to various denominations, most of these documents being broadcast by Radio Free Europe. Although the founders of this Committee were Baptists, from its very outset it had an interdenominational character.

The activity of ALRC is known by:

1. The Commission for Securtiy and Cooperation in Europe
2. Amnesty International
3. Christian Solidarity International
4. Jesus to the Communist World
5. Keston College, England
6. Truth about Romania (New York)

Various information about the activity of ALRC, and documentation or information provided by ALRC, appeared in the publications of these organizations as well as in newspapers in the West, and in some Romanian publications in the West, such as "Micro-Magazine" (New York), "Cuvintul Romanesc" (Canada), "Limite" (Paris), "BIRE" (Paris), "Catacombes" (in limba franceza - Paris).

After the establishment of ALRC, the political regime in Romania started to persecute the members of the Committee. Various methods were used: exposing them in public meetings at their jobs; investigations; house searches; attempts to divide the members of ALRC or their families; accusation of cooperation with spies from the West; beatings; imprisonment. They were often threatened with death, or that they would be put in sypchiatric hospitals. The Ministry of Internal Affairs, Department of Religion and Baptist Union all cooperated against the ALRC. The Baptist Union excluded the nine founders of ALRC from the Baptist denomination in 1979.

Seven of the nine founders of ALRC were obliged to leave Romania and go into exile: Pavel Nicolescu, Dimitrie Ianculovici, Ioan Moldovanu, Nicolae Radoi, Emerich Iuhasz, Osvath Ludovic, Petre Cocirtau. They live now in the USA. Other members had to leave Romania too: Radu Capusanu, Ioan Tirziu, etc. Four of the nine founders and two other members were sentenced to various terms of imprisonment: Nicolae Radoi, Petre Cocirtau, Dimitrie Ianculovici, Nicolae Traian Bogdan, Ionel Prejban, Ioan Tirziu. Ludovic Osvath was sentenced to one year of compulsory work. During the Secret Police's investigations, the following were beaten by officers of the Ministry of Internal Affairs: Nicolae Radoi, Petre Cocirtau, Ionel Prejban, Nicolae Traian Bogdan, Dimitrie Ianculovici, Ioan Moldovanu, Ioan Tirziu, Emerich Iuhasz.

ALRC was the first organization openly created in Communist Romania with the goal to defend people persecuted for their religious convictions. The ALRC was recreated in New York in 1981 as an independent organization with the following members: Rev. Aurel Popescu, Pavel Nicolescu, Dimitrie Ianculovici, Radu Capusanu, Emerich Iuhasz, Ioan Tirziu. ALRC cooperates with the Romanian Baptist Church from New York whose pastor became general director of ALRC. ALRC publishes a monthly newspaper - "Lumea Crestina" (The Christian World).

Rev. Aurelian Popescu
PASTOR

Rev. Pavel Nicolescu
PASTOR ASSISTANT

ROMANIAN BAPTIST CHURCH
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THE ROMANIAN CHRISTIAN COMMITTEE:
"THE DEFENCE OF THE RELIGIOUS FREEDOM AND OF CONSCIENCE (ALRC)"

DEPOSITION

1. I am the pastor of the Romanian Baptist Church from New York, forced by the Romanian authorities to leave my country in 1979 because of my protesting attitude against the abuses, the illegalities and the persecutions against the believers. I am here in the United States with my wife (who is a doctor) and I have seven children: four are here with me, one in Switzerland and two in Romania.

I am the director of the non-profit organization: "The Romanian Christian Committee-ALRC", for the defence of the religious freedom and of conscience."

2. In Romania, a country governed by communists, the religious persecution is a notorious fact; the persecution is sometimes open, sometimes hidden and has various forms:

A. Discrimination against practicing believers at their jobs expressed in the refusal of promotions, firings, etc.

B. Discriminations in schools and universities against the Christians or their children and total exclusion to study in some faculties.

C. Fines, home searches and beatings applied to the believers who meet in their houses for prayer and Bible study or to the believers who protest against the abuses and illegalities of the authorities.

D. Arrests and prison sentences for religious reasons. It should be noted that the real reasons are never mentioned in the sentences. During the investigations cruel methods are used as physical or psychological torture, which in some cases lead to the death of the persons under investigation.

E. A systematic refusal of the right for emigration of the people who are persecuted for their faith, including the people who ask for the reunification of the family.

My deposition will deal with this last point, while some of my colleagues will present the other aspects of persecution.

The right for emigration is a legal right in Romania, because Romania signed the Helsinki Agreement. However, in practice it is denied and an application for emigration is considered as an act of treason. All the troubles start from this point on: Harassment in the job, investigations, home searches, arrests and sentences.

-First, the forms for the application for emigration are refused to be given.(Anex 3).

After a long period (sometimes years) in which the person insists to get the forms for application, they are given. But another period of waiting starts after the forms are filled in and submitted. Usually the first answer is NEGATIVE. A long period of written requests and hearings after hearings follows.

-Many get tired and renounce emigration, while others try to illegally cross the border in Yugoslavia. From this category, many are caught, severely beaten and they are considered lucky if they get only a fine. From the people who succeed in crossing the border, some are sent back by Yugoslavia and after they are tortured they are sentenced to years of prison(so happened recently with two baptist believers from Iasi, SILVIA TARNICERU and ELENA BOGHIANU, both with sentences of two years in prison).

-The next step is the approval of the so called great forms, which are filled in and submitted. This approval means that the authorities acknowledge the person's application for emigration. In this situation the person or the family who desires to emigrate starts to sell their personal or real estates, but very often the first answer is again NO. To complete his application for emigration, the person has to submit a lot of documentation and letters from various institutions with whom he had contact in the past. He finds difficulties in getting this documentation, especially because he is often delayed.

-In order to emigrate the person or the family has to visit the American Consulate in Bucharest. When they get out of the Consulate they are often stopped by the militia and sometimes interrogated.

Here are some cases in which the authorities refused the right for emigration to persons asking for the reunification of the family:

1. Enea Mihai (wife and 3 children) from Alba Iulia, str. Transilvaniei 25, Bloc Crosa, et.2,ap.24.

2. Tudorache Nicolae (wife and 8 children) from Bucuresti, Bd. Ion Sulea 57,Bl.H,13,Sc.D,Et.2.ap.70.

3. Braica Maria (wife and 1 child) from Timisoara,str. Torontalului 15
4,ap.14.

4. Iedrzykievits Adela (wife and 1 child) from Timisoara, Str. Naturii 7, sc. A,et.2,ap.11.

5. Restea Matei (wife and 4 children) from Timisoara str. Saligny 10, jud Timis.

6. Saul Flentea (single) from Bucuresti str. Invoirii nr.20.

7. Costiuc Dumitru (wife and 3 children) from Avrig, str. Cinepii nr. 60, jud. Sibiu.

8. Costiuc Samuel (wife and 2 children) from Sibiu, str. Noud nr. 10, jud. Sibiu.

9. Dumitru Emil (wife and 1 child) from constanta str. Egretei 6 bl. AV et.3,ap.15

10. Paraschivescu Gha. (wife and 1 child) from Bucuresti, Aleea 10R, nr. 7, Bl.62, sc.B, et., ap. 32.

11. Schoger Ioan (wife) from Medias str. Cluj nr. 1 Bl. 39 ap.5.

Some christians, because they insisted to emigrate, made the strike at home and were arrested and put in prison: For example:

1. Dumitru Emil
2. Manea Stanciu
3. Dumitru Stancu
4. Petre Varvara
5. Gabriel Fulea
6. Solomon Sidea

(all baptists from Constanta)

Many christians are obliged to leave Romania because of the religious persecutions; some of them asked approval of emigration many years ago. For example:

1. Dinca Filip (wife and 4 children) from Ploiestiori-Blejoi, Prahova
2. Prajban Ionel (single) from Unciuc nr. 30, Riu de Mori-Hunedoara
3. Ioanid Constantin (with wife) from Bucuresti, str. Poterasi nr.20
4. Viorel Dumitrescu (wife and 1 child) from Lugoj, str. Dr. p. Groza nr. 9
5. Ambrus Emeric (wife and 2 children) from Crivina 19-Nadrag, jud. Timis
6. Ilcau Gheorghe (wife and 2 children) from Timisoara, str. Juncii nr. 15
7. Briac Ioan (with wife) from Zalau, str. Porolissum, bl.1, ap. 15
8. Avramescu Cornel (wife and 2 children) from Uroi 68, jud. hunedoara
9. Tutu Petru (wife and 2 children) from Timisoara, str. Iosif Rengnet nr. 6 ap.2
10. Pernea Vasile (wife and 2 children) from Zalcu str. t. Vladimirescu Bl.Lira, ap. 11
11. Schiau Mihai (wife and 5 children) from Sebes-Alba str. Cintului 7, jud. Alba
12. Grigor Mihai (wife and 5 children) from Sebes-Alba str. I.L.Caragiale 12, jud.Alba
13. Gabriel Ion (single) from Bucuresti Bdv. Garii Obor 12 Bl. B2 Et. 7 ap.31
14 Hutman Constantin (wife and 1 child) from Resita str. Zimbrului 15, jud. Caras-Severin
15. Raveica Emil (wife and 1 child) from Bucuresti str. Mitropolit Dosoftei 47
16. Sofilca Florica (single) from Arad str. Solomon 56
17. Feldioreanu Teodor (wife and 7 children) from Brasov str. Forjei Bl. 3
18. Cretu Nicolae (wife and 5 children) from Brasov, str. Mircea cel Batrin 49,Bl.30, sc.B.ap.4
19. Paramon Gagea (single) from Bistrita-Bistrita Nasaud
20. Holburd Simion (single) from Mijlocenii Girbaului, Jud. Bistrita Nasaud
21. Muresan Dumitru (wife and 3 children) from Bistrita str. Arcalia nr. 231,jud.Bistritan
22. CAPUSANU LIVIU (single) from Cluj-Napoca,Cluj District,str.Cîmpului 24.
23. FLONTA ILIE (single) from Măderat 255, Arad District
24. TEODOSIU IOAN (with wife),from Cluj-Napoca, str.Almasului 40, Cluj District.

Finally, I want to describe the situation of the persecution of the Christian students and teachers:

Various regulations stop the people who do not have the special approval of the communist party to study the following: philosophy, law, economics, sociology, psychology, pedagogy, history, journalism, etc. Of course, the Christians cannot get such an approval.

The regime limits the number of students in the theological schools and expel from these schools the students or professors who seem to be "independent". In 1976, Dimitrie Ianculovice and Ionel Prejban were expelled from the Baptist Theological Seminary, Bhucarest, and 1978, Filip Dinca was expelled from the same seminary. Now, in this seminary, there are only 5 students in the first year (1980-1981).

Several Christian students were expelled from the University. There names are: Genoveva Sfatcu, from the Faculty of Germanic Languages of the University Jassy, Pavel Nicolescu, from the Faculty of Philosophy of the University Bucharest, Daniel Chie, from the Faculty of the Psychology-History of the University Cluj. They all are now in the U.S.A.

Here are some names of the teachers who were fired or obliged to renounce their positions in the learning system, because of their religious convictions:

1. Peter Cimpoieru, teacher of History, Bucharest.
2. Ionel Gabriel, teacher of music, Bucharest
3. Aurel Serban, teacher, Pedureni-Cluj.
4. Nemeth Ladislau, teacher of philosophy, Oradea
5. Susana Crisan, teacher of Romanian Language, Cluj
6. Felicia Agneta, teacher of arts, Cluj
7. Emil Creanga, teacher of History, Arad

In conclusion, it is requested that members of the US Congress Sub-Committees dealing with the MFN status review of Romania, and of the Helsinki Accords Review, as well as the State Department in its interventions in Romania, raise the following demands with the Romanians, for a quicker achievement of a special relationship between the two countries:

1. We require the release of all prisoners of conscience and faith, especially Father Calciu.

2. We require reunion of families.

3. We request a dropping of the investigations against the six pastors in Bucharest and Oradea, and greater independence for the Church in electing its leaders and in running its internal financial matters.

4. We protest the control of foreign tourists to Romania specifically for religious material and urge the easing of control on religious literature through official channels with the possible setting up of independent channels for Bibles and literature without state interference, as in Yugoslavia and Poland.

5. We ask that equal opportunity be granted to all young people irrespective of beliefs, and the re-opening of faculties closed to believers.

6. We ask for easing of state control of internal affairs of the churches and the ready permitting of repairs on existing buildings, opening of new churches where all legal requirements are met. We especially ask this for the churches of Girbau, Motru, Resita,

A detailed Statement of ALRC is attached for further evidence.

Thank you for listening to my deposition.

Rev. Aurelian Popescu

June 1, 1981

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AND
The Committee "The Defence of the Religious Freedom and Conscience"
(A L R C)

Mr. Chairman:

Thank you for the opportunity to speak before you.

I am Rev. Pavel Nicolescu, spokesman and one of the founders of the Committee "The Defence of the Religious Freedom and Conscience" (ALRC) created in Romania in April 1978 and recreated in USA in New York in May, 1981.

The goal of the ALRC Committee is to tell the public of the Free World about the religious persecution in Romania.

I left Romania in August 1979, after a period of 5 months in which the agents of the Ministry of Internal Affairs watched my house and followed me step by step.

I graduated at the Baptist Theological Seminary, Bucharest, but because of my protesting attitude against the state's interference in the matters of the churches and against the religious persecution in Romania, I was not acknowledged as pastor by the Department of Religious Affairs.

In 1973, because of my religious convictions I was expelled from the Faculty of Philosophy of the Bucharest University, just some weeks before graduation, in the fourth year of study.

Between 1972-1979, the secret police (securitatea) searched my house 4 times - the searches totaled about 30 hours - hundreds of books in Romanian and English, documents, manuscripts, notes with addresses and telephone numbers were confiscated.

In this period I was interrogated 30 times, was beaten, threatened to be sent to prison or a psychiatric hospital, threatened with death. The secret police officer used obscene and cynical language. Some of them openly displayed an antiamerican, antichristian, and antisemitic attitude. Two times I was told that the dissidents are not human beings, that there is no law for them and consequently any methods may be used against them.

In 1978, under the pressure of the Ministry of Internal Affairs and the Department of the Religious Affairs, I was expelled by the Baptist Union from the Baptist denomination.

In the light of my experience I am briefly presenting some aspects of the religious persecution in Romania:

1. The condition of the Church after 1948

In 1948 the communist regime dissolved the Greek-Catholic Church, the movement "The Lord's Army" which existed within the Orthodox Church and the "Seventh Day Adventist-Reformation Movement". The leaders of these denominations were sent to prison. The hierarchs of the Greek Catholic Church died, about all of them in prison. The Ministry of Internal Affairs initiated an experiment, in the prison of Pitesti, called "reeducation." Former prisoners witnessed that some priests were forced to celebrate the Lord's Supper with human excrements.

The Jehovah's Witnesses had also much to suffer.

Then, thousands of priests, pastors, and laymen belonging to all denominations were thrown in prison. It is considered that at least 4,000 Orthodox priests pass through prisons.

The Lutheran pastor, Richard Wurmbrand, spent 14 years in prison. One of the leaders of the movement "The Lord's Army", Traian Dorz, the greatest religious poet of Romania, spent 17 years in prison. The Reformist adventist, Ioan Buzdugan, from Arad, spent about 20 years in Romania's prisons.

In 1961, the official religious leaders, threatened by the Ministry of Internal Affairs and by the Ministry of Religious Affairs, closed hundreds of Baptist, Adventist, Puntecostal and Brethren churches, hundreds of pastors losing their functions.

2. The Christians in the prisons of Romania today

Now there are a large number of Christians in prisons in Romania, however no one knows the exact number.

We know the names of at least 70 Christians who passed through prisons in the last 5 years for the following main reasons:

Involvement in the dissident movement which struggles for religious freedom.

Meetings for worship in private homes.

Illegal printing and distribution of religious literature in Romania, or smuggling it to USSR.

Opening of churches without official approval.

Actions aimed at getting a passport for emigration.

Attempts to illegally cross the border.

Here is a list of 16 Christians who are now in prison:

Gheorghe Calciu-Dumitreasa
Gross Paul
Kloss Mihai
Fekner Mathias
Herbert Manfred
Hofman Gheorghe
Silvia Tarniceru
ElenaBoghean
Emil Dumitru
Manea Stancu
Dumitru Stancu
Petre Varvara
Gabriel Fulea
Solomon Sidea
Ionel Frejban
Godo Mihai.

3. Fines applied to churches and individual Christians

This is one of the methods used by the communist regime to weaken the churches. In the last 5 years the fines applied to churches and Christians added to other financial losses totaled more than 3,000,000 lei.

5 believers involved in a network which distributed Bibles got fines which totaled about 740,000 lei.

Catholic priest, Godo Mihai (Herculane, Caras Severin district) got a fine of 140,000 lei for reason that he collected money to build a church.

Through the closing of the Baptist church in Bujac (Arad district) the believers lost 1,500,000 lei.

In Cluj district some baptist and pentecostal churches were fined with 155,000 lei.

The Baptist Church from Girbau (Cluj district) made a small modification of the building and got a fine of 75,000 lei.

At this present time the authorities of Romania are trying to accuse 4 of the most effective pastors from Romania of financial embezzlement.

- 4. The reduction of the number of ministers

This is a subtle policy of reduction of the number of priests and pastors.

Here is an example:

In 1961, in Baptist Community Timisoara, there were 120 pastors. After the closing of some churches, the number of pastors was reduced to 60. Up to now 30 pastors retired, died or were fired by the Department of Religion, so that only 30 remained to whom another 7 or 8 were added who graduated from the Baptist Theological Seminary. At this moment there are in the Baptist Community Timisoara about 35 pastors. Therefore, in 20 years, the Communist regime reduced the number of pastors from 120 in 1961 to 35 in 1981. This is a very good performance for a regime that has as a goal to destroy the religion, and in particular the Christian religion. From 35 pastors mentioned above, 80% are over 55 years old. A small number of pastors will be added in the next years, and so in the year 2000, there will be less than 15 pastors in the Community Timisoara. The reduction is from 120 in 1961 to 15 in the year 2000!

In the light of these facts about religious persecution in Romania that continues and takes new forms, we urgently ask that MFN would not be given to Romania unless the following conditions are met:

A. MFN given for only 1 year
B. The release of all the prisoners of conscience
C. Religious persecution stopped by the communist regime
D. The human rights to be respected

The unconditional MFN to Romania or MFN for more than 1 year would encourage the political regime from Bucharest to tighten the persecution, the terror, the violation of human rights and further fight against the Christians.

Thank you for listening to my deposition.

Rev. Pavel Nicolescu

Spokesman of the Committee "Defence
of The Religious Freedom and of
Conscience" (ALRC)

NATIONAL FOREIGN TRADE COUNCIL, INC.
10 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10020

RICHARD W. ROBERTS
PRESIDENT

July 16, 1981

Hon. John Danforth, Chairman
Subcommittee on International Trade
Committee on Finance
United States Senate
2227 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

The National Foreign Trade Council, whose membership comprises a broad cross section of highly diversified interests engaged in all aspects of international trade and investment, supports the President's recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements, under Section 402 thereof, for the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China.

A satisfactory balance of concessions in trade and services has been maintained between the United States and those countries. The United States currently enjoys a favorable aggregate trade balance with them and we believe expansion of this trade will be in the national interest. U.S. exports to the PRC increased to $3.7 billion in 1980, from $1.7 billion in 1979; to Romania to $722 million in 1980, from $501 million in 1979; and to Hungary to $79 million, from $77.6 million in 1979. Indications are that exports to those countries will increase. In addition to the economic benefits, non-discriminatory trade helps create an environment of cooperation and reduced tension in which vital national objectives can best be achieved.

It is respectfully requested that this statement on behalf of the National Foreign Trade Council be included in the record of the hearings on the President's recommendation to extend the waiver authority for the above-mentioned countries which are to be held by the Subcommittee on International Trade on July 27.

Sincerely,

Richard Roberts

RWR:ew

COMMENTS ON
EXTENSION OF MOST FAVORED NATION TREATMENT
FOR ROMANIA

Control Data Corporation, a $4 billion computer and financial services company, strongly endorses the extension of Most-Favored-Nation treatment for the Socialist Republic of Romania.

Over the past 15 years, Romania has demonstrated a growing independence from the Soviet Union in the conduct of its foreign policy.

Romania has, for example:

— opposed efforts of its fellow Warsaw Pact signatories to increase military expenditures and consolidate command structure...

— strengthened its ties with the Soviet Union's rival, the Peoples Republic of China ...

— stated that it would not permit its armed forces to take orders from another country ...

— supported U.S. peace efforts in the Middle East (the only Warsaw Pact country to do so) ...

—condemned Vietnam's invasion of Kampuchea and in general, violation of any country's territorial integrity ...

— broadened its trade relations with the non-communist world (since 1974, over half of its trade has increasingly been with non-communist countries) ... and,

— permitted reasonably free emigration of Romanian Jews wishing to leave the country, in accord with the Jackson-Vanik amendment to the Trade Act of 1974.

Control Data believes it to be in the best interests of the United States and world peace to signal the Romanians that the U.S. recognizes and approves that country's growing independence from the communist world by extending MFN.

Control Data feels uniquely qualified to endorse this action because of the special relationship it has enjoyed with the

Socialist Republic of Romania since 1968. That year, it began actively marketing its products in Romania. In 1973, we entered into a joint venture — the first joint venture between a capitalist company and a socialist entity. This company — RomCD — manufactures computer peripheral products of mature technology, and is 45 percent owned by Control Data, 55 percent by Romania.

Control Data's experience to date with our joint venture has been most rewarding. Its success has encouraged Control Data to enlarge its cooperative activities with our Romanian partner, the Central Industrial for Electronics, Technology and Computers. A ten-year extension of our agreement was signed in 1978 under which our Romanian partner has agreed to expand the venture and to share research and development costs, reducing the technological risk for both sides.

We encourage more American companies to enter into similar cooperative agreements, not just for corporate profit, but to provide new avenues of communication and cooperation between East and West.

Further, we propose that Congress provide for a more stable business environment between the United States and Romania by amending the Trade Act of 1974 so that MFN tariff treatment for Romania does not require yearly renewal by the President. Consideration should be given to coupling the MFN provision to the U.S.-Romanian 10-year agreement on economic, industrial and technical cooperation now in force until 1986.

News

CONTROL DATA CORPORATION

From Public Relations Department
5003 Executive Blvd.
Rockville, Maryland 20852
Contact: Ralph W. Sheehy
(301) 468-8340

For Release: Background

ROM CONTROL DATA SRL

The joint manufacturing venture between Control Data Corporation and the Romanian government was established in April, 1973, for the purpose of manufacturing computer peripheral equipment beneficial to both parties and to exchange and develop technology related to those products. It was, and continues to be, the first such joint venture between an American company and Romania.

Ownership of the firm, known as Rom Control Data SRL, is 45 percent Control Data and 55 percent CIETC (Industrial Central for Electronics and Computer Technology), the Romanian partner. The venture was capitalized at $6 million, with Control Data's contribution primarily technical know-how and support and unique assembly and test equipment. CIETC's contribution consisted of the manufacturing facility, a 65,000-square-foot building in Bucharest, and tools.

Six Americans initially filled key management positions at the plant, although the general manager has always been a Romanian. Now, only one West German is on site as quality assurance manager. However, there is direct management participation by both partners -- four from each organization -- that form a joint managing committee. Approximately 230 persons are employed at Rom Control Data in tasks that cover all aspects of a manufacturing operation.

Computer peripheral products manufactured by the joint venture include drum printers, card readers, disk drives and band printers. Through 1980, the venture has delivered more than 4,200 drum printers, 3,150 card readers, 1,450 disk drives and 400 band printers.

These products are marketed by both partners -- by Control Data, primarily in Western Europe, and by CIETC, to its domestic market and Eastern Europe.

A strong advocate of joint ventures in order to lower costs and improve technology, Control Data said Romania provided a most favorable climate because its economic plans included provisions to buy peripheral products from the West and because it allows partial Western ownership of a business enterprise within the country.

After seven years of operation, the joint venture has produced high quality products at competitive costs and the organizational ability to meet changing product requirements.

May 1981

TRUTH ABOUT ROMANIA COMMITTEE
325 EAST 57TH STREET
SUITE 14D
NEW YORK, N. Y. 10022

July 20, 1981

Dear Sir :

I am writing to you regarding the hearings scheduled for July 27, 1981, by the Subcommittee on International Trade, Committee on Finance, U.S. Senate, on a presidential recommandation for a further extension of the authority, under the Foreign Trade Act of 1974, to waive, in the case of the Socialist Republic of Romania , the freedom of emigration requirements of subsections (a) and (b) of section 402.

This letter is on behalf of the Truth About Romania Committee, a non-profit, non-incorporated association of Americans and U.S. Residents of Romanian descent . It was formed in 1973 and is dedicated to the task of disseminating the truth about conditions in Romania, voicing, in the Free World, the freedom aspirations of the Romanian people and calling for compliance with basic human rights as a precondition for granting Most-Favored - Nation status to non-market economy countries .

Together with this letter, we are submitting, for the record of the July 27 hearing, another communication which has been addressed earlier to the Secretary of State . We feel that the letter presents accurately the prevailing political and economic conditions in Romania .

Politically, communist-ruled Romania has indeed not allowed free emigration, as obligated under the Jackson-Vanik amendment to the 1974 Foreign Trade Act . Communist-ruled Romania is also known to persecute brutally those who struggle for political and religious freedom .

Economically, the badly mismanaged Romanian economy is showing signs of rapid deterioration. The standard of living of the Romanian people is the lowest in Europe. The Most-Favored-Nation clause has not improved the living conditions of the Romanian people . It has demoralized the people and strengthened the position of the communist rulers. In the words of

June 16, 1981
Page Two

Secretary of State for Economic and Business Affairs Robert D. Hormats (as quoted by economist Ann Critenden, The New York Times, May 21, 1981): "The real story is that we - the West - are subsidizing East European economies".

The case against subsidizing an economy, as that of Romania, dedicated to pharaonic projects totally unrelated to the needs of the people of Romania or to the interests of the U.S. - is a strong one: strong enough to bring about reconsideration of policies which so far have only been helpful to enemies of the West.

Non-renewal of the M-F-N treatment for communist-ruled Romania would make the Romanian people feel that they are not alone. The long-term political advantage thus gained would certainly outweigh the meager advantages the U.S. has been drawing from its largesse.

Sincerely yours,

Prof. Brutus Coste,
President

TRUTH ABOUT ROMANIA COMMITTEE
325 EAST 57TH STREET
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NEW YORK, N. Y. 10022

May 12, 1981

The Honorable
Alexander M. Haig
Secretary of State
Washington, D.C.

Dear Mr. Secretary:

The forthcoming visit of Stefan Andrei, Foreign Minister of the "Socialist Republic Romania" (SRR), to Washington, is followed with mixed anticipation by the people of Romania, as well as by the exiles who have been keeping and still keep in close touch with their homelands.

On the one hand there is hope -- springing from the confidence a huge majority of Romanians everywhere feel toward the new American administration, as personified by President Reagan and his Secretary of State. On the other hand, there is concern that, under the influence of shortsighted domestic factors and European allies, these hopes might once again be dashed -- to the detriment of the captive European nations and, even more, to that of the United States and the cause of freedom in the world.

The tragic experiences the people of Romania underwent in the last half century have given our people a keen sense of realities. They have long ago ceased believing that the U.S. would use force to deliver them from their bondage. But they believe entitled to ask America and her European allies:

(a) To leave unresolved issues on which agreement is only possible on Soviet terms;

(b) To be guided by the principle that "if you cannot help effectively your friends, do not make their chains heavier";

(c) To refrain from morally and materially helping the common enemy (now called adversary);

(d) To cease equating the Romanian people and the communist regime;

(e) To keep alive in the United Nations and appropriate international conferences the issue of denial, to the captive European nations, of freedom and human rights.

Such tokens of solidarity would be morally right and politically wise. They would, furthermore, help preserve the spirit of resistance in Romania (as well as in other captive lands) at a time when, in the context of a deteriorating power equation, the security of Western Europe is increasingly in need of every potential source of deterrence against Soviet expansionism.

With all this in mind, I ask your permission, Mr. Secretary, to bring to your attention certain facts and recommendations we consider pertinent to your talk with the Foreign Minister of the most despotic among the communist countries of Europe.

1. The Romanian economy combines a steadily decreasing rate of growth and the lowest standard of living in Europe. Since 1960, the stress has been on the development of a huge refining capacity at the very time when extraction was fast declining. Last year, Romania produced only 11.6 million tons of oil and had to import 15 million tons. Romania's oil bill soared to $4 billion per year. Similar policies were pursued in the development of a 7 million ton steel-making capacity for which every ton of cal and ore had to be imported. Add the total neglect of agriculture and you have the key to understanding why the people of Romania have to go through near-starvation; why do they have to spend daily countless hours in line to buy such staples as bread and potatoes. Also, why the regime is so bitterly hated.

2. At the Congressional hearings held over the past six years on the issue of extending to the SRR the benefits of the Most Favored Nation's clause, supporters of the extension, mainly government officials and businessmen involved in trading with the SRR, came forward with the claim that the American economy is drawing benefits at least equal to those gained by the Bucharest regime. The truth of the matter is that the totalitarian regime in Romania is by far the most important beneficiary. It has managed to pile up debts estimated at $9 to $10 billion toward Western industrial countries, international institutions and private banks. In the light of Poland's failure to service its $26 billion debt, it can be safely anticipated that Romania will practically, if not formally, default in a not-too-distant future.

Had these loans generated improved living conditions for the people of Romania and had they been conducive to some measure of observance of elementary human rights, the absence of which permeates every-day life in Romania, few would have objected.

3. But the point is precisely that the foreign-imposed regime in Romania, instead of catering to the needs of the population, continues to be the most faithful imitator of Stalin's economic model:

   - It runs the most centralized, bureaucratized and corrupt command economy;

   - It still assigns the highest priority to the development of heavy industry notwithstanding the fact that its cost of production and the low quality of its industrial products make it non-competitive on the world market;

   - It adheres, more rigidly and more stubbornly than any other East-European communist-ruled country, to the hated and therefore unproductive collectivized agriculture;

   - It keeps on allocating every year around 30% of its GNP to investments which do not contribute in any way to the betterment of living conditions.

4. Free nations should realize that long-term credits and other forms of economic help enable the communist regime in Romania to maintain, for political reasons, inhumane, economically unworkable and bankrupt systems, such as collectivized agriculture. Without Western help, the communist regimes might be forced, by the pressure of necessity, to give a higher priority to economic problems, such as dissolving or radically reforming collective farming. Such developments would be apt to strengthen the economic independence and hence the political effectiveness of the peasantry.

5. As regards the extension of the MFN clause, it should by now be common knowledge that in the narrow area of emigration the performance of the SRR, over the last six years, can only be described as tokenism, while in the broader area of human rights quasi-complete denial is the only accurate description.

Harassment of would-be-emigrants continues. It includes:

job loss, demotion, refusal of emigration application forms, confiscation of property, eviction from apartments, expulsion from university or other institutions of higher learning, mail censorship, loss of telephone privileges, military induction, physical assault, detention, assignment to forced labor camps for refusal to take up any kind of work and for leading a "parasitic life", demand that naturalized American citizens sponsoring Romanian emigrants formally renounce their own Romanian citizenship (they no longer have) and furthemore pay a substantial fee.

6. In its 46-page report of May 1979, on human rights in Romania, Amnesty International notes that "since the beginning of the 1970's a distinct pattern of persecution of political dissidents has become apparent, and the number of persons confined to forced labor camps or psychiatric hospitals or imprisoned for political reasons, has significantly increased during this period.

Officially, the one year at forced labor is being described as individuals who manifest "a parasitic attitude toward Society". Decree 25/1976 claims that "no loss of freedom" is involved. Former inmates contradict this claim.

The Free Trade Union of Romanian Workingmen (SLOMR) was suppressed within days after its establishment, in February 1979. All its leaders, headed by Dr. Ion Cana, Gheorghe Brasoveanu, Vasile Paraschiv and Virgil Chender were placed under arrest. Cana was given a five-year prison term; the others simply disappeared. According to recent rumours, the first two (i.e. the top-leaders) were released. This rumour is unconfirmed.

On the religious front

Father Gheorghe Calciu-Dumitreasa - the highly esteemed Romanian Orthodox priest - is still service a ten-year conviction for being a tremendously eloquent preacher. According to rumours (which come and go) he was about to be released. It is suspected that the rumours are planted with the purpose of misleading the numerous faithful conducting campaigns for his release.

The true leaders of the neo-protestant group have all been expelled from Romania during the last year. Only the pastors who joined the faction cooperating with the regime can now continue their ministry.

In conclusion, Mr. Secretary, it is our conviction that the facts brought forth in this letter, as well as the accurate data published by Amnesty International -- provide sufficient evidence in support of our expectation that the time has come to reconsider the give-away policy the U.S. has been pursuing vis-a-vis the so-called Socialist Republic Romania.

The dramatic events in Poland demonstrate that East Europe is not lost and might become a pillar of the West. These events have forced Ceausescu to drop his "independence" mask. He now is true to himself when declaring that "had a firm attitude been taken against the anti-socialist elements and forces, these events (in Poland) would not have come to pass".

We trust and hope, Mr. Secretary, that you will take advantage of Andrei's visit to announce:

- That given the SRR's consistent record of denial of human rights, American economic aid will henceforth be linked to the observance of human rights commitments embodied in the Helsinki Final Act and the earlier covenants;
- That the U.S. will strongly oppose any attempt to designate the SRR as the host-country of the next Conference on Security in Europe (CSCE);
- That the Department of State will not recommend to the President any extension of his authority to waive, in the case of the SRR, subsections (a) and (b) of section 402 of the Foreign Trade Act of 1974.

Very truly yours,

Brutus Coste, President
Professor Emeritus

BC:ems

MAURICE D. ATKIN
CONSULTING ECONOMIST

1301 PENNSYLVANIA AVENUE, N. W.
WASHINGTON, D. C. 20004
393-2700

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TESTIMONY OF MAURICE D. ATKIN, CONSULTANT TO CHILEWICH CORPORATION, NEW YORK, TO BE PRESENTED BEFORE THE SUBCOMMITTEE ON TRADE OF THE HOUSE WAYS & MEANS COMMITTEE, JUNE 22, 1981

My name is Maurice D. Atkin. I am an economic consultant and have represented the Chilewich Corporation in Washington for the past 20 years. I welcome this opportunity to testify on behalf of the Chilewich Corporation of New York in favor of continuing Most Favored Nation status for Romania.

The Chilewich Corporation is involved in the business of exporting hides, which is the raw material for leather. In 1980, the U.S. exported 1,045,520 hides to Romania in the amount of approximately $29 million. This may not represent an overwhelming figure in terms of our gross national product. It does, however, constitute 5% of U.S. overall exports of hides and makes a significant contribution to the cattle and beef industry of this country by providing an outlet for a by-product generated in excess of our own demand and, as such, provides important income to America's farm sector.

It would indeed be to the interest of the United States to maintain this open, mutually beneficial commercial relationship with Romania. In its five year plan for economic development for the 1981-85 period, Romania has identified a number of priority sectors of its economy which will require large-scale capital investments. Among these, for instance, is the area of energy. Here, the U.S. is quite competitive internationally in producing and marketing capital equipment. This could impact most favorably on our trade-related dealings with Romania.

It should be noted that since Congress supported the Section 402 waiver, Romania has been an excellent trading partner. For example, in the last five years, U.S. exports to Romania have grown from $277 million in 1976 to $722 million in 1980. In that same period, the U.S. imports from Romania were $190 million in 1976, increasing to $310 million in 1980. This represents a most favorable balance of trade.

Not only has American business benefited substantially since its trading relationship with Romania was first normalized, but it also stands to continue to do so as Romania's efforts towards developing a strong and independent economy continue. United States involvement in the production of items slated for export to Romania means more jobs for Americans, and industries dependent upon imports from Romania also make a contribution to our economy. Moreover, such bilateral trade relations are bound to lead to the creation of stronger political ties and will continue to provide the encouragement for Romania's full integration into the international trading systems.

Encouraging trade development between the United States and other countries, in this instance Romania, is certain to have a positive impact on our commercial and political influence with those countries. Conversely, inhibiting trade for reasons other than the legitimate ones governing every good business transaction would be counterproductive and could adversely affect our country's efforts to reduce antagonism and recrimination among nations. I would therefore urge, on behalf of the Chilewich Corporation and myself, that you and your committee, Mr. Chairman, recommend the extension of the Most Favored Nation treatment to Romania. I am convinced that this is in our nation's and the world's best interests.

Thank you.

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